

# Africa Digest

**FEBRUARY 1961**

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# AFRICA



# DIGEST

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## CENTRAL AFRICA Congo

### Congo Diary—III

*November 15.* General Riklye, United Nations representative, informed M. Albert Kalonji, who declared a "mining state" in S. Kasai, of United Nations determination to prevent further breach of peace.

*November 16.* Balubas killed thirty-three Africans in N. Katanga. Colonel Mobutu's troops arrested a member of the Ghana Embassy staff entering the residence of M. Lumumba and stated he was carrying plans for an invasion of the anti-Lumumba province of Katanga and funds for M. Lumumba.

*November 18.* Council of graduates set up by Mobutu announced it had broken off relations with Ghana, and that the Ghana mission would have to leave. Commissioner for the Interior, M. Nussbaumer, threatened to use force to prevent United Nations Good Offices Commission from arriving in Leopoldville.

*November 21.* Incident in which seven soldiers were killed occurred outside the residence of Mr. Nathaniel Welbeck, Ghana Chargé d'Affaires, who had refused to obey an expulsion order. Mr. Hammarskjöld estimated cost of Congo operation at \$10 million per month.

*November 22.* Death of Leopoldville garrison commander, Colonel Kokolo, announced. Mr. Nehru advocated meeting of Congolese Parliament, attacked Belgian support of disruptive elements, and described Mobutu's forces as undisciplined and irregular. President Kasavubu recognized as Congo representative at United Nations by fifty-three votes to twenty-four with nineteen abstentions, efforts by Ghana, Guinea and Mali to postpone decision having been rejected. Guinea and Mali announced they would withdraw from Afro-Asian Conciliation Commission appointed on September 19 to seek solution to Congo problems.

*November 25.* Kasavubu advocated round table talks with leaders including Lumumba and M. Tshombe. Talks held between Tshombe, his Foreign Minister, M. Kimba, and a delegation from the Cabinet of Joseph Ileo, who was appointed Prime Minister after dismissal of Lumumba. Captain Roberts, Englishman held by United Nations forces after leading Baluba tribesmen, returned to United Kingdom.

*November 28.* Lumumba left his residence, where he had been a virtual prisoner for about two months, for Stanleyville, stronghold of his supporters. Kasavubu returned from New York. Lumumba said he would soon meet Tshombe and Kasavubu.

*November 29.* Pursuit of Lumumba by Mobutu troops and police. Fifteen Europeans reported in custody of Congolese Army in Leopoldville. Fourteen Balubas in clash with Nigeria United Nations troops; four Nigerians were wounded.

*November 30.* Six Ghanaian diplomatists and their British pilot detained in Leopoldville. Moscow radio said Lumumba was in friendly territory. Tshombe discounted possibility of talks with Lumumba.

*December 1.* Lumumba arrested in Kasai. Mobutu said he was to be tried for crimes against the State while he held office of Prime Minister. United Nations spokesman disowned responsibility for Lumumba's safety once he left his residence where he had United Nations protection. Lumumba was driven from Leopoldville airport to Mobutu's house in an open lorry, his hands tied behind him. One thousand Whites resident in Stanleyville reported to have been ill-treated by Congolese Army during examination of identity papers. Seven persons were held in spite of United Nations intervention.

*December 2.* Lumumba supporters were reported to be holding and ill-treating representatives of Mobutu in Stanleyville. Reports confirmed of torture and murder in Katanga of missionaries Edmund Hodgson from Britain and Elton Knaus from New Zealand.

*December 3.* Following severe beating up of Lumumba by his captors Mobutu ordered his transfer to Thysville. Cleophas Kamitatu, provincial premier of Leopoldville, and co-leader with M. Antoine Gizenga, of left wing African Solidarity Party, asked for United Nations protection after being accused of giving safe conduct to Lumumba during his escape.

*December 4.* Thirteen people killed in Kitwit, apparently in reprisal for welcome given Lumumba, on his flight from the capital.

*December 5.* Mobutu said United Nations could no longer use port of Matadi without specific authority and threatened to block two important tributaries of the Nile if Egypt and Soudan supplied aid to pro-Lumumba régime in Stanleyville. United Nations report stated that Lumumba had been seriously injured by his captors and was being kept in inhuman conditions. This Mobutu denied. Soviet Government called for United Nations forces to disarm Mobutu's men, and set up an Afro-Asian commission to find out the source of his supplies.

*December 7.* United Nations Security Council met. Hammarskjöld expressed concern at the way the United Nations was accused of taking sides. He denied shift in policy since July, and warned against liquidation of United Nations operation. The U.A.R. and Ceylon decided to withdraw their men from the United Nations force. Orientale Province placed under martial law. U.A.R. decided to nationalize Belgian assets, and Ghana to break off diplomatic relations with Belgium. Tshombe made "unofficial" visit to Brussels when King Baudouin presented him with the Great Ribbon of the Order of the Belgian Crown.

*December 8.* Restrictions placed by Congolese authorities on United Nations transport facilities with which General Riklye refused to comply. Wilfred Lazarus, Congo correspondent of the Press Trust of India, ordered to leave Congo because of India's continued support of Lumumba and its co-sponsoring of the resolution not to seat the Kasavubu delegation in the United Nations. Mr. Zorin (Russian delegate in Security Council) repeated attack on "Mobutu gangs" and "their colonialist instigators" and accused Hammarskjöld of encouraging them. Kasavubu said Lumumba's health was satisfactory.

*December 9.* In Stanleyville, Bernard Salamu, once private secretary to Lumumba, threatened to arrest all Belgians in Orientale and cut off the heads of some of them if Lumumba was not released immediately. In New York the Congo Advisory Committee decided to send representatives of Nigeria, Malaya, and Ethiopia as a conciliation commission to Congo.

**December 12.** Morocco announced withdrawal of its unit in the United Nations command. Guinea also announced withdrawal. Britons working for Unilever arrested by Congolese *gendarmerie* loyal to Lumumba in Orientale. Ten other Europeans reported under arrest. British Government said British subjects and Protected persons would be airlifted if necessary. Two R.A.F. transport aircraft stood by in East Africa.

**December 13.** Antoine Gizenga, former deputy Prime Minister to Lumumba, proclaimed himself legitimate ruler of the Congo, and Stanleyville as capital.

**December 15.** British and Cypriot nationals advised to evacuate their families from Orientale, but tension eased in Stanleyville following withdrawal of Governor's threat to take reprisals against Europeans for Lumumba's arrest. Eire Parliament passed Bill to enable a new Irish battalion to be sent to Congo. At United Nations Russia vetoed motion designed to promote humane policies in the Congo in an unsuccessful effort to get one adopted designed to bring about immediate release of Lumumba.

**December 17.** Reports of 300,000 starving refugees with mortality rate of 200 per day in S. Kasai.

**December 19.** President Nkrumah said in Ghana that United Nations Secretary-General should resign if he cannot carry out orders.

**December 20.** Anglo-American resolution before General Assembly, designed to strengthen hand of Secretary-General, and requiring a two-thirds majority, failed by one vote (forty-three votes in favour, twenty-two against, thirty-two abstentions, two absentees). Yugoslavian resolution calling for immediate release of political prisoners and convening of Parliament was also rejected.

**December 22.** Baluba tribesmen reported to have massacred at least twenty Africans in attack on train guarded by Swedish United Nations troops which was taking schoolchildren home for New Year holiday. Spokesman alleged that people "were killed under the eyes of the United Nations". United Nations spokesman denied report.

**January 1.** Kasavubu, Mobutu and Foreign Minister Bomboko visited Kasai province, which is now ruled by two governments, in attempt to restore prestige of Central Government. During visit to Bakwanga, Gregoire Kashale was abducted from President's official party and found later severely beaten up.

**January 2.** Hammarskjold charged Belgian authorities in Ruanda-Urundi with assisting Mobutu's forces to launch attack on Lumumba troops in Kivu. Kasavubu announced round table conference of leaders on January 25 to be organized by Ileu, who would head Government after the conference had completed its work. (Tshombe previously announced February 15 as conference date.)

**January 3.** Europeans arrested in Kivu. Others had been beaten up. United Nations Conciliation Commission appointed four months ago to bring together Congo's feuding political factions arrived in Leopoldville.

**January 4.** On arrival at Leopoldville Hammarskjold met with demands for Lumumba's release from a crowd of 200. Irish troops sent to rescue Nigerian platoon cut off by Baluba rebels in Katanga.

**January 5.** Kivu reported under control of Lumumba men from the breakaway government in Stanleyville. Hammarskjold had talks with Kasavubu and United Nations officials.

**January 6.** Gilbert Pongo, head of Congo Military Security Branch, who arrested Lumumba, was arrested by Lumumba supporters.

**January 9.** Lumumba troops estimated at 2,000 strong, penetrated Katanga. Kasavubu formally warned the United Nations against aiding pro-Lumumba elements.

**January 10.** More Irish troops flown to Congo. Two of Lumumba's "cabinet ministers" reported to have proclaimed an independent "Lualaba" state at Manono in Katanga. Katanga on brink of civil war.

**January 13.** Threatened police strike called off in Leopoldville but Mobutu

troops reported sharply divided. In N. Katanga Lumumba troops fanning out from Manono apparently welcomed by Balubas. Two thousand United Nations troops standing by to prevent civil war report casualties amongst Manono contingent.

**January 14.** Justin Bomkoko, Mobutu's Commissioner for Foreign Affairs, announced demand for recall of chief United Nations representative Rajeshwar Dayal of India, who was accused of responsibility for "United Nations failure to maintain law and order" and complicity with Lumumba supporters. Clash between Belgian and Lumumba troops on borders of Belgian administered Ruanda. Rebellion against "austerity" programme reported amongst Mobutu troops at Thysville where Lumumba held.

**January 16.** Katanga Government arrested about forty, including eighteen Europeans, following discovery of plot against Tshombe's rule. Manono reported quiet with Lumumba troops in full control. Uganda closed its border with Kivu "to avoid risking international incidents".

**January 17.** Hammarskjold refused to recall Rajeshwar Dayal.

**January 18.** Lumumba reported to have been transferred to Katanga in poor physical condition. Europeans in Kivu fear reprisals.

## Aid to Congo

The International Committee of the Red Cross launched an urgent appeal to national Red Cross, Red Crescent and Red Lion and Sun societies asking for medical aid to be increased and maintained for a further period.

The United Nations Children's Fund (U.N.I.C.E.F.), continuing its relief of famine conditions among the Baluba refugees in the Kasai province of the Congo, has approved a further emergency allocation of £100,000.

This second allocation—the first was made in November and amounted to £90,000—will provide basic foodstuffs for the month of January costing £5,000, seeds for sowings (£32,000), and drugs, equipment, and transport for medical services (£13,000). Part of the new allocation is needed to maintain minimum rations during January because some sources of supply on which the United Nations hopes to draw cannot arrange delivery in sufficient quantities before February.

The seeds to be provided for sowing in January are for the June harvest. The Food and Agriculture Organization has estimated the need at 250 tons of maize seed, 180 tons of beans, and 480 tons of peanuts, at a total estimated cost of £64,000 of which U.N.I.C.E.F. aid will pay half. (*The Times*, January 11.)

The World Health Organization sent three more doctors on hearing that an epidemic of kwashiorkor (a nutritional deficiency disease affecting very young children) is sweeping Kasai province.

The Food and Agriculture Organization in Rome has appealed for member nations to sponsor a six-month "crash" programme to help starving Baluba refugees in Kasai. A F.A.O. official back from Leopoldville said that 20,000 children in Kasai were starving and 200 were dying daily. They needed £1 million to stop the famine.

The Oxford Committee for Famine Relief has sent £30,000. The British Red Cross Society Congo relief fund reached £20,000. (*Guardian*, January 11.)

Dr. Keith Kesteven, of Australia, a senior F.A.O. official, who has just returned from Kasai, said they needed to bring into the country about 1,600 tons of maize, 1,600 tons of rice, and 500 tons of dried fish a month. "No rice has been offered to us at all," he said. Only Britain, the United States, and Norway have so far contributed to the Food and Agriculture Organization's emergency relief programme. (*Daily Telegraph*, January 12.)

Mr. Gaitskell, addressing a Labour Party meeting in the Midlands, described Britain's response of £5,000 to the F.A.O. appeal for £2 million as "pitifully inadequate".

## Counting the Costs

The United Nations has published figures up to October 31, 1960, on its current financial crisis. They show that more than twenty member states are in arrears in their payments to a total sum of \$37,215,745 (about £13,250,000). The largest percentage, 32.51, is contributed by the United



States, although the General Assembly had decided in principle in 1957 that no member state should pay more than 30 per cent of the total. United States assessment is eventually to be lowered to that proportion. The minimum assessment, established at 0.04 per cent, is levied on twenty-four of the smallest member states.

An article by *The Times* Special Correspondent in Leopoldville reviewed the heavy United Nations expenditure brought about by the presence of the United Nations force in the Congo.

The \$10 million (about £3,600,000) a month that it costs to maintain the United Nations force in the Congo is spent on such necessities as food, on such items peculiar to the Congo as anti-malaria pills, and on such extravagances as the rental of \$500 a month mansions. One of the biggest expenses is the payment of a kind of "Congo bonus" to each of the 20,000 officers and soldiers of the eighteen nations serving under the United Nations flag.

Each Government decides how much extra its soldiers should be paid for serving away from home in the Congo. Each Government which sends units to the Congo pays its soldiers only the salary they would receive at home. The extra sum for Congo service must be borne by the United Nations. The amount estimated for this Congo overseas pay this year alone is \$12 million (or \$2 million for each of the six months of 1960 that the United Nations army will have served in the Congo). This is more than 18 per cent of the total budget.

There is a great disparity between nations in the amount charged the United Nations for its men in the Congo. When Guinea, for example, submitted a bill for \$80 (£28 10s) a day for each of its officers there was obvious surprise and a measure of outrage among administrative officials at United Nations headquarters in Leopoldville. Negotiations have been undertaken with the Guinea Government to reduce its arbitrarily set figure for officers' Congo bonus pay.

It costs the United Nations ten times more to maintain a Swedish soldier in the Congo than a Canadian because there is less differential between home pay and overseas pay in the Canadian Army.

In addition to the overseas pay set by each Government, the United Nations budget also provides for a daily pay over and above everything else for each soldier. This amounts to \$1.30 a day. This is higher than the 86 cents (6s 2d) a day paid to soldiers serving under the United Nations flag in the Gaza strip between Israel and Egyptian territory. The explanation is that in the comparatively small Gaza strip (6 x 26 miles) it was considerably easier to provide services for soldiers than in the Congo, which is more than half the size of Europe. . . .

The international nature of the United Nations force in the Congo involves disparity in more than overseas pay scales. There is a great difference between what an Indonesian soldier and a Ghana soldier consider an adequate diet. In ordering rations (\$6,840,000 is budgeted for the first six months of the Congo undertaking) the task is complicated and the cost multiplied by differing national tastes. . . .

It is rather ironic, in view of the fact that the United Nations Command has made it a matter of policy to encourage Belgians to depart from the Congo scene, that the United Nations has had to call upon the knowledge and experience of a Belgian firm in order to feed itself. The company's monthly bill to the United Nations for food items alone is very close to \$1 million. In addition the firm acts as United Nations purchasing agent for beds, blankets, tents and other items obtained in the Congo.

As well as feeding and housing soldiers, the United Nations operation must take care of the needs of the hundreds of civilians working for it in the Congo.

All civilian employees of the United Nations force in the Congo receive \$20 a day as an allowance for food and housing in addition to their regular salaries. Top officials receive allowances of \$25 a day. Some have rented luxurious villas with wooded grounds near the Congo River at a monthly rental of about \$500.

Rent is a big item in accounting for the \$66,625,000 budgeted for the United Nations operations during the six months of this year. United Nations headquarters occupies a nine-storey splendidly modern apartment building called the Royal which had been largely evacuated by Belgians. The United Nations pays \$18,000 a month rent for the whole building, although its offices now occupy only two-thirds of the apart-

ments. Unlike most armies moving into a country, the United Nations is not able to requisition property. . . .

The United Nations also has a commitment to pay each contributing Government for any damage or loss sustained by trucks, weapons and other material brought to the Congo by a military unit. Of course, the United Nations reimburses each unit for petrol used by its vehicles. For budgetary purposes the United Nations estimates that each of the many hundreds of vehicles uses eight gallons of petrol a day, and petrol costs the United Nations 38 cents a gallon. Despite the flight of the Congo's White population and the diminution of economic activity, one American oil company trading in the Congo is doing 85 per cent of the volume it did in its busiest Congo days as a result of United Nations business.

Waste is inevitable in a military operation, and the more candid United Nations officials concede that there is waste in the Congo, too. They point to these examples:

Among the 1,543 cars, buses, trucks and ambulances purchased by the international body for use in the Congo there are several unnecessarily luxurious cars for top level officials. A number of civilian technicians flown here by the United Nations found their jobs already filled by returning Belgians to the satisfaction of the Congolese. These United Nations civilians draw salaries of from \$7,000 to \$15,000 a year and for the moment do little except sit in cafés and air-conditioned hotels while awaiting assignments. The "Congo bonus" demanded by Guinea and several other nations for its officers obviously is excessive. The homes rented by some United Nations officials are unreasonably expensive. (*The Times*, December 9.)

### Comment on the Congo

The *Guardian* (December 10) commented: "At one extreme is the Security Council, forced to think in constitutional abstracts about the extent of intervention in a sovereign state and to judge every possibility by its effect on the cold war. At the other extreme are the Europeans of Stanleyville, sheltering from terrorism in a school compound, the fallen Lumumba in his prison cell at Thysville and the ordinary Congolese whose hope of joining in the fuller life now accessible to millions of other Africans is becoming daily more remote. The link between the two is weak. The United Nations is not ideally constituted to go into the Congo and clean it up. But action through the United Nations is the only action that can be contemplated. Direct operations by any one State could lead in no time to war on a far larger scale. Even the return of Belgian civilians to administrative positions has brought the full wrath of the Russians and some of the African countries against the Western Powers as a whole. . . .

"The Congo has become so fragmented that a more realistic basis on which to act would be a resolution seeking to reunite the provinces of Leopoldville, Orientale, Kasai, and Katanga. All four are now under Governments operating without any common purpose. . . .

"Politics were not allowed to develop naturally in the Congo: if they are to develop now some midwifery will be needed. It can be supplied either by the United Nations as a whole or—and this would have a greater chance of success—by the Afro-Asian coalition. It should, however, be the major aim of United Nations policy.

"It is not suggested that the Security Council should delegate its responsibility. It has already done that to an extent already too great and without defining the ways in which the responsibility is to be exercised. It is extraordinary that the body which purports to be in control of an international operation on this scale has made such little attempt to deal directly with the Congolese political leaders. Colonel Mobutu's stated intention when he took over control was that the politicians would be given time to work out an agreement among themselves. They have not done so, and it is partly his fault. It is a fault the members of the Security Council could rectify without damage to their cold war interests. Lumumba, Tshombe, Kasavubu and Mobutu could be heard by the Security Council which could try direct diplomatic mediation."

Mr. J. S. Crossley, chairman of Barclays Bank (D.C. and O.), stated in the annual report that hasty and apparently irresponsible action in the Congo had caused unnecessary suffering and loss to Africans and Belgians alike.

The experience had starkly revealed the consequences of an almost total lack of preparation for self-government and, at the same time, had proved that political guile and persuasive oratory were not effective substitutes. If this should be disillusioning for extremists, whether "progressive" or "reactionary", and if it should give place to moderating influences, good might eventually result.

In the meantime, great pressure would doubtless be brought to bear on all the Governments which now had the responsibility for the "British" territories. If continuity of efficient administration were to be ensured, they must be resolved not to yield to popular clamour. They were trustees for the people as a whole. One over-riding duty at least was clear. It was to ensure that such changes as had to be made were carried out in an orderly manner. They could not be rushed without the risk of total collapse. (*Guardian*, December 12.)

Mr. Nehru informed the Indian Parliament that his Government had considered withdrawing from the United Nations operation in the Congo but had decided against doing so. He criticized the course the United Nations had been following. While the whole country was going to pieces, the United Nations was "sitting there passively", he said, carrying its policy of non-intervention to an extreme.

Mr. Nehru wished the United Nations to take a more positive role, using its forces and powers to enable the Congo Parliament to meet in spite of Colonel Mobutu, seeing that the Belgians left the country, and obtaining the release of political prisoners including M. Lumumba, to the protection of the United Nations. The Prime Minister put great emphasis on the importance of the Congolese Parliament meeting as soon as possible. This, he said, was the obvious step, but it had been prevented by Colonel Mobutu, who had been encouraged in his opposition to Parliament by various authorities and various countries.

Mr. Nehru said a new kind of Belgian empire was being created in the Congo as Belgians returned to positions of influence, he declared. Colonel Mobutu's student commissioners were merely a way for the Belgians to function, and the Belgians had been obstructing the work of the United Nations in the Congo and encouraging every separatist tendency.

The Indian service men in the Congo were not combat troops. They were unarmed, except perhaps for officers' sidearms. The Government would have to watch how their nationals in the Congo were treated and if they were not treated properly it would have to reconsider its decision to continue with the United Nations there. (*The Times*, December 13.)

In an editorial comment, *The Times* (December 13) said: "In the political field the United Nations can only use the forces of advice and persuasion. Its representatives in Leopoldville ought certainly to use their good offices as strongly as possible to support Mr. Kasavubu's original plan for a round-table conference of Congolese leaders. They ought not to intervene to rescue M. Lumumba who has spontaneously and gratuitously fled from a protection which at best of times the United Nations afforded on strong grounds perhaps of common decency but with flimsy legal justification. . . ."

Referring to the danger of civil war the editorial continued: "This danger very nearly materialized when M. Lumumba prepared to invade Katanga and both the Russians and the Belgians rushed in equipment. It would very likely have done so had M. Lumumba succeeded in reaching Stanleyville. This is a danger which the United Nations, and probably nothing else, can prevent. It controls the airfields, and is at any rate present and able to observe what goes on in the main centres.

"There remains the question of the Belgians. They have been returning in large numbers to the country. In many cases they are doing a good job. . . . Some, however, are arrogant. They clash with, and often render redundant, the work of United Nations staff. They are an object of suspicion to other African Powers who see in them the return of a disguised colonialism. Their presence may end by encouraging Africans to call in Communists as a counter balance. That they should be so regarded is the penalty of their inconsistent and unstable policy towards the Congo in the past few years. Yet it is hard to see how the Congo can do without them.

"The way forward for the Congo will be slow, but it is not utterly hopeless. Provided the Belgians give practical help but are restrained from

political intrigue; provided the Congolese are allowed to work out their own political solutions with positive encouragement but without nugatory interference by the United Nations; and provided the East-West rivalry is not played out in civil war, some sort of coherent and viable society may eventually emerge in this distracted region of Africa. The essential thing is not to set impossible objectives."

Mr. Ritchie Calder addressing the "Africa 1961" conference in London said: "The Congo crisis showed the need for the United Nations to go beyond its present functions and assume an additional role", which he would describe as "functional trusteeship".

It meant that in a case, like the Congo, where the normal machinery of the State had been so effectively smashed as virtually to cease to exist, the United Nations should have the necessary powers and the requisite organization to step in. "A whole people (he said) would in effect become wards in chancery. And while this is a plan I put forward with future crisis in mind, it is still not too late to apply it to the Congo."

## Nyasaland

### Report of Localization Committee<sup>1</sup>

THE Committee under the chairmanship of Mr. A. L. Adu of Ghana appointed to assess the future needs of the Civil Service called for a School of Administration, costing about £100,000, an £80,000 technical college, and £18,000 extension to the Colby School of Agriculture. It proposed a "crash programme" of training to produce local recruits as a matter of extreme urgency for the Administrative Service, police force, and the Information and Labour Departments.

The report laid heavy emphasis on the vital need for education and training so that local officers can man the service by the earliest possible date. But it pointed out: "It takes five to seven years after Standard X to produce professional and scientific personnel such as engineers, veterinary officers, agricultural scientists, forestry officers, and geologists. Even then, a further experience of a year or two is required to make them fully effective. The next few years will, therefore, call for great patience and restraint as well as a sense of responsibility and purpose on all sides."

Nyasaland will need the services of expatriates for a number of years to come in all posts requiring specialized knowledge, skills and experience. This would be especially true if it were decided that efficient administration should take priority over accelerated localization where the two were in conflict. But the report pointed out that there is the strong desire of the people of the country that constitutional progress should be matched by progressive advancement of local officers in the Civil Service. It is unhealthy for a growing nation to be dependent indefinitely on outside assistance for the administration of public business. The respect that will be accorded to this country by the outside world will depend on the ability of its people to control, and the effectiveness with which they maintain, the administration of their country. This will be an increasingly vital consideration as the Territory moves towards full independence.

A further consideration is the economy that will be effected by the increasing employment of local officers. Overseas recruitment is undeniably an expensive method of staffing the Civil Service.

On the educational position the report said that against the number of Civil Service and teaching posts requiring a degree or professional qualifications of 480, there were only thirty-three Nyasalanders with such qualifications and forty others taking courses at universities in Africa, Europe, Asia and America. At the present rate the future output of trained graduates would only be 120 by 1971. After listing the scholarships awarded the report recommended the establishment of a Nyasaland Bursary Programme in addition to the Federal awards and an appeal to commercial and industrial firms to make funds available for such a scheme.

It pointed out that the number of Cambridge School Certificates or G.C.E. "O" level was given as eighty in 1960 and estimated to be 260 in 1964. This was totally inadequate. The Committee said: "We are quite frankly alarmed at the present prospects of improving the secondary

<sup>1</sup>DIGEST VIII, 2.

education output. No substantial progress can be made with any hope of maintaining adequate standards unless the present bottleneck at the secondary school level is eliminated. Any recommendations we have made, or will make, for making the most use of the available material at the Standards VI and VIII levels are only safe if there are long-term plans for replacing them eventually with persons with initial higher basic education. Unless this can be achieved, the Civil Service is bound to reach only a standard of mediocrity. It is not only the Civil Service that requires to have more of the output of the secondary schools. The whole of the economic development of the Territory in the public and private sectors must surely depend to a considerable extent on the output of secondary schools at this critical stage.

"In our view, therefore, the increase in secondary school facilities must be regarded as part of the Territory's economic development plan designed to produce the basic trained manpower for the country's development in the professional, technical and industrial sectors of the economy. The development of secondary education should not at this stage be classified as a social service which could be sacrificed at a time of financial stringency. It deserves to be given high priority in all plans for the future development of the Territory."

### Congress Liberation Party

"Parties in Central Africa"<sup>1</sup> described the Congress Liberation Party as believing in ties with the Federation. In fact two of the "fundamental propositions" to which it is specifically committed are as follows:

"To ensure a federation of Nyasaland, Northern Rhodesia and Tanganyika at the earliest possible opportunity based on the free will, consent and co-operation of all the peoples of these three territories. To this end we shall direct all our energies and activities for achieving a federation without Southern Rhodesia.

"To attain early realization of independence for this country as a free nation within the Commonwealth of Nations." (*C.L.P. Statement*, December 1958.)

### Intimidation, Violence and Arrests

Both in Nyasaland itself and in Britain there was widespread alarm and violent expression of opinion about intimidation and violence.

In Nyasaland on November 17, two men were arrested in the Central Province on charges of attempted murder when a European police inspector and two African sergeants were wounded by spears and a panga. On the same day twenty-four Africans were charged with rioting, nine miles from Blantyre. On November 22, thirteen people were arrested at Mzuzu in the Northern Province where a crowd surrounded a car carrying officials of the Congress Liberation Party including Mr. T. D. T. Banda, the President.

On December 13, the Malawi Congress Party published a cable received from Dr. Banda, saying: "Tell people I say peace and calm. No trouble to Europeans, no trouble to Indians, no trouble to Coloureds, no trouble to the police. As for stooges and our political opponents simply ignore them. Then you will have the best club with which to hit very soon and that is your vote at the ballot box."

In reply the acting chairman, Mr. M. H. B. Chipembere, cabled: "Reports received maliciously and deliberately distorted as part of campaign against Malawi. People calm despite provocation and your messages passed to them. The Nyasaland Government tightened up regulations governing the holding of public meetings: police could refuse permission unless fourteen days' notice had been given."

The national organizing secretary of the Malawi Youth League, John Chikwakwa, and two other Africans were arrested on charges of riot and proposing violence, and a number of other arrests and sentences for intimidation and unlawful assembly were reported. However, the incidents grew less after Dr. Banda's appeal.

The police denied the use of "terror tactics" against Malawi Congress members. The Nyasaland Government announced that 187 cases of intimidation had been reported to the police between January 1 and October 31, 1960. During the same period eighty-four cases had led to convictions and twenty-four resulted in acquittals, nineteen cases were

<sup>1</sup>DIGEST VIII, 3.

pending and twelve were still under investigation. Forty-eight cases were disposed of, mainly through lack of evidence. In all, 117 people were convicted. Prison sentences ranged from fourteen days to four years' hard labour, and fines from 25s to £25.

A Government spokesman said: "These figures put into proper perspective the actual extent of intimidation in Nyasaland." (*Press Release*, December 22.)

Six British M.P.s touring the Federation as guests of the Federal Government sent a message to the Colonial Secretary saying they were gravely disturbed at intimidation in Nyasaland. Three of them, members of the Labour Party, Messrs. A. Roberts, R. E. Woof and J. McCann, also cabled Mr. James Callaghan, saying they were horrified with great evidence of sinister Malawi methods. On their return Mr. Bourne-Arton, M.P. (Conservative), said: "We are not waging war on Dr. Banda nor can we criticize him in any way. He instructed his followers that there was to be no violence when he was in London."

Dr. Banda said that he and the M.C.P. were victims of a smear campaign, that many M.C.P. members and officials have themselves been subjected to violence and intimidation, and that the object of the campaign in the United Kingdom was to discredit the policies of Mr. Macmillan and Mr. Macleod simply because they accept the principle of African advancement. Referring to the incident in which Mr. Chester Kasonga, chairman of the Christian Democratic Party, had had his house burned down, Dr. Banda said he had a special motive for wishing to put Malawi in the worst possible light, because two years ago while a member of the African National Congress he had been an informer and had made up the "massacre plot" story which had led to the Devlin Report. He denied charges that Malawi officials were leading a campaign against vaccination in spite of a smallpox epidemic.<sup>1</sup> (*Guardian*, December 9.) The *African Mail* and the *Malawi News* reported that in fact active help had been given by some Malawi leaders to the vaccination teams. Mr. R. B. Chidzanja, Malawi's Central Province chairman, said that the Party, in response to a request from the Ministry of Health, sent two of its officials with the vaccination team for three days to help break down resistance.

Major Patrick Wall, M.P. (Conservative), who was one of the group who visited Nyasaland wrote under the title "Violence Pays in Nyasaland": "One of the main causes of trouble is the growing population and growing unemployment, Malawi is organizing both youth and the women. In many places the Youth League has virtually taken over the administration of the country—they are drilled and are trained in crowd control, they control Malawi political meetings and try to break up those of their opponents. . . . What is clear is that thousands have paid their 2s contribution to Malawi and expect their concept of 'freedom' in return. They are already getting restless at the delay, the pressure on Malawi leaders is increasing and the more extreme members of the Youth League are getting restless. . . . Only Dr. Banda can 'sell' a compromise to the people of Nyasaland. There is therefore good reason not to provoke a crisis, but one wonders whether the growing disrespect for law, particularly among the young, will not have grave consequences.

"The final solution must be both political and economic. Nyasaland can only be kept inside the present Federation by force, but she is already looking towards Tanganyika, and an association of the present Federation with the four countries of East Africa makes political and economic sense. Whatever happens, Britain holds Nyasaland in trust for its people and law and order must be maintained." (*Daily Telegraph*, December 14.)

### Railway Strike

Some 4,000 African railway workers came out on a strike which lasted over two weeks. On the fifteenth day the Governor appointed Mr. Arthur Rouse, a world expert on industrial relations and labour problems, as the sole arbitrator in the dispute between workers and the management of the Nyasaland Railways. Mr. Rouse, living in retirement in Southern Rhodesia, served for twenty years with the United Kingdom Ministry of Labour.

In his award, Mr. Rouse gave wage increases ranging from 15 to 25 per cent to African workers. . . . He also ordered that a council be set up in

<sup>1</sup>DIGEST VIII, 3.



the railways for joint negotiations and the examination of outstanding grievances. . . . Both management and the workers had already accepted the need for such machinery and he ordered that the joint negotiations council should be set up within four weeks. (*Rhodesia Herald*, November 23 and 30.)

## Rhodesia, Northern

### Constitutional Conference

THE Northern Rhodesia constitutional conference adjourned in London after general discussion had been concluded. The conference is due to consider detailed constitutional arrangements when it resumes in 1961.

*The Times* (December 21) said: "The certainty that emerges from the conference at this stage is that African political representation will be increased. The ideal of 'one man, one vote' canvassed by African delegates may still be some way off, but it seems probable that when the review is completed elected Africans will have a majority over elected Europeans, even if they do not achieve a position where they can out-vote all other members, elected and official, of the Legislative Council. It is also certain that the Federation as understood today is still the bogey for the Africans, and moderate opinion is convinced that what happens to the Federation will decide the African attitude to the speed of political advance in the Territory.

"For an illustration one needs only to look at a sentence in the constitutional proposals of the United National Independence Party, led by Mr. Kenneth Kaunda, as presented to the conference. 'There is unanimity on the issue of the break-up of the Federation', this manifesto declares, and the impression is that, however much the rest of the proposals may be positions to bargain from, this is a fundamental."

Mr. Kenneth Kaunda, the leader of the United National Independence Party, said: "We are almost certain of getting what we want—an African majority both in the Legislative and Executive Councils."

### Barotseland Demands Separate Recognition

The Ngambela (Prime Minister) of the Barotse African Government, Mr. Akadeswa Imasiku, said in the presence of the Paramount Chief: "We do not consider ourselves as part of Northern Rhodesia or as a protectorate within a protectorate. We are a different country and a different people. We have our own Government. We want direct protection by Britain, the same as enjoyed by Bechuanaland, Basutoland and Swaziland. This is not a new thing we are asking for. We have been requesting it regularly for the past sixty years or more. We find it difficult to understand why we have always been given something else in its place." . . . The Barotse Prime Minister denounced "a lie spread in the newspapers" suggesting that their aim was to take their 48,000 square mile territory out of Northern Rhodesia, which presently administers it, so that they could remain members of the Federation. He denied that they were afraid of a Black nationalist Government taking over in Northern Rhodesia.

The Resident Commissioner of Barotseland, Mr. Gervase Clay, said: "There is no confusion in the constitutional position of Barotseland as far as the British Government is concerned. It is a protectorate within the Protectorate of Northern Rhodesia. The Barotse attitude is that they want direct protection without any intermediary."

*The Northern News* (December 3) said: "The 300,000 Barotse people are generally as hostile to federation as other Africans in the territory. But, at the same time, the ruling hierarchy is increasingly fearful of a Black nationalist régime taking over in Northern Rhodesia and breaking its centuries-old hold on the tribesmen. Barotseland's special status is enshrined in the 1900 treaty between Paramount Chief Lewanika and the British South African Company, by which it came under the protection of the Crown. For the sake of convenience, it has been administered through the neighbouring protectorate of Northern Rhodesia, despite Barotseland's consistent request for a direct link with the Colonial Office. Thus, in the opinion of experts, Paramount Chief Sir Mwanawina, Lewanika III—a son of the Great Lewanika—will have a cast-iron case when he goes to London with his royal advisers."

Mr. Harry Franklin, M.L.C., in whose constituency Barotseland falls, said: "If they want to secede, I don't think anybody has the right to stop them. I would advise them not to do so. Obviously they would suffer economically through secession, either from Northern Rhodesia or the Federation. But the Barotse should be allowed to do whatever they think best."

### U.N.I.P.'s Policy for Local Government and the Judiciary

The United National Independence Party published two statements. On local government it said that universal franchise should be extended to all resident in the area for a period of six months who are twenty-one years of age provided they are either British Protected Persons or British subjects. It considers that a non-resident qualification is undesirable and unnecessary, and it believes that the local government franchise should be uniform with the parliamentary franchise as far as practicable.

It is proposed that each municipality should be divided into wards and there should be a separate election of three councillors assigned to each ward and the population of each ward should be the same as far as practicable. One-third of the councillors should retire annually by rotation. The councillors would have responsibility for housing. This would have to be provided at sub-economic rents and capital would be raised by direct grant from the Central and British Governments and on long-term loan.

When Africans became full municipal citizens the African Affairs Department would become redundant. Bribery and corruption are not unknown at local government level both in Africa and other continents. Consequently, we propose that the system should be protected. Councils will have power to call for tenders but, before contracts are entered into, the sanction of the Ministry of Local Government will have to be obtained. The Ministry will have power to veto the proposed contract and accept a lower tender or to call for fresh tenders. Appointment of municipal staff will be made by the Councils but subject to the sanction of the central department.

Where it has been shown to the satisfaction of the High Court that a Council has grossly mismanaged its affairs, the Minister of Local Government will be empowered to appoint a Council Manager who will be responsible for the affairs of the Council. A Council Manager will sit with the Council and will have power to veto any decision made by the Council and to make such decisions as he may think proper. The Council will be advisory to the Manager during the time he holds office.

On the judiciary U.N.I.P. said: "We intend to preserve the law and the courts which we have inherited from England. In matters relating to the judiciary, we intend following the comparable British practice. . . . All judicial officers will be appointed by the Governor and in the case of judges of the Appeal Court and the High Court the appointment will be made on Her Majesty's instructions conveyed through a principal Secretary of State. . . . After the transitory period, we intend to enshrine in the permanent constitution provisions dealing with the independence and freedom of the judiciary. The judges of the Courts of Appeal will then be appointed on the advice of the Prime Minister after consultation with the Chief Justice. A Judicial Service Commission will be established which will advise on the appointment, promotion and transfer of other judicial officers. . . . In place of the Federal Supreme Court there shall be a Court of Appeal for Northern Rhodesia and Nyasaland. . . . The Court would also constitute an independent and impartial body to whom Bills could be referred by the Governor on questions of violation of the provisions of the constitution dealing with fundamental rights. We consider that the judiciary can protect the individual against excesses by the Executive in a more effective manner than any Council of State.

"The judges of the Court shall be three in number, one of whom will be styled Chief Justice and preside over the Court. The first Chief Justice shall be either a barrister who has practised in England for a continuous period of twelve years immediately prior to his appointment or who has held judicial office in England. One of the members of the Court will be an African and we would hope to recruit one of the distinguished members of the Superior Courts in either Ghana or Nigeria.

"In lower courts qualified magistrates would serve rather than administrative officers. The system of Chiefs' Courts should be continued and strengthened. We propose that the chiefs should retain their judicial functions as at present, and they should be helped by advisers, either African lawyers or African Civil Servants trained in legal practice and procedure. Rules would be approved by Parliament after consultation with the Council of Chiefs. Decisions would be recorded and a system of precedents built up."

### Trade Union Leader Dismissed

The Supreme Council of the African Mineworkers' Union have dismissed Mr. L. Katilungu from the presidency. He has been attending an I.L.O. meeting in Lagos and the Constitutional talks in London.

The *Guardian* (December 13) said: "Three final blows to his chances of retaining the mineworkers' leadership have been accepting a Monckton Commission seat after the union's supreme council had decided to boycott it, publicly claiming that his mineworkers were better off than those in Ghana, and, finally, accepting an office in the African National Congress while most Copperbelt Africans support the United National Independence Party."

The *Central African Examiner* (December 17) commented that since 1956 Mr. Katilungu had been accused of being "a company man", of "dictatorship", "extravagance" and "neglect of duty". When he decided to re-enter politics, he was approached by some Copperbelt supporters of Congress, who suggested that he take over and reorganize Congress when Nkumbula, now on bail pending appeal, went to jail; presumably he joined with this expectation, but it now seems unlikely that the Ila-Tonga group which dominates Congress would accept Katilungu, a militant Bemba, as interim leader. It looks as though he has tied himself to a dying horse, and is not even going to be the jockey.

"There is still no obvious successor to Katilungu as mineworkers' president. Neither deputy president Chisata nor general secretary Mushikwa, nor indeed any of the union's present Supreme Council, seems to have quite the personality or talent for the job. The names of four of the 1956 restrictee mineworkers' leaders are mentioned as possible candidates. These are Mathew Nkoloma, former general secretary, Robinson Puta, formerly deputy president, Sylvester Nkhoma, tough-minded boss of the Roan Antelope branch, which held out longest in 1956, and Mathew Mwendapole, who is now general secretary of the Reformed Trades Union Congress and probably the most able of the candidates.

"The existence of the R.T.U.C. is a result of intense dissatisfaction with Katilungu's leadership (alleged dictatorship) of the Northern Rhodesia Trades Union Congress, which is the springboard for his international activities. The split occurred in February this year, and now seven unions with a combined membership of about 4,000 support the R.T.U.C. Only the associations in the mining industry remain in the T.U.C., which has, however, retained the Government's blessing and I.C.F.T.U. affiliation, with all the financial assistance which the latter means. The R.T.U.C. leaders are open supporters of U.N.I.P., but do not hold any party office."

The union denied that Mr. Katilungu was being dismissed because of charges of negligence and extravagance.

### £9 Million Dispute

The Northern Rhodesia African Mineworkers' Union has accused the copper mining companies of using legal technicalities to put off a lawsuit claiming nearly £9 million in back pay to African workers. The case has already been pending for nearly two years and the general secretary of the union suggested that the companies are trying to drag on negotiations for another four years after which the litigation would be barred by lapse of time.

Some 30,000 Africans are affected. The union's general secretary said that the companies have refused to agree to fight the suit on a test case. The dispute arises from the laying off of African workers during two European strikes. (*The Times*, January 7.)

### "Intimidation in Africa"

Mr. K. M. Chittenden, a District Officer with thirteen years' experience,

said he resigned because of his sense of personal disgrace and shame which he felt towards many Africans who looked to him for protection within the law. This he was able only inadequately to give. In both urban and rural areas, he said, it was an indisputable fact that intimidation on the part of African nationalist political organizations existed in a considerable degree. He described how Africans had, after threats, withdrawn from giving evidence to the Monckton Commission, how others were terrorized after attending a reception given by the Governor-General and how U.N.I.P. officials were sentenced to between eighteen months' and three years' prison for incidents arising from the boycott of the store belonging to an African Federal M.P. A great deal of the support that appears to be given, and is claimed by, African nationalist organizations arises out of the fear and uncertainty caused by such blatant acts of intimidation and there is a real danger of Congo events repeating themselves by a too premature abdication of responsibility in Central Africa. (*The Times*, December 21.)

Lord Winterton added (December 30): "Nothing can be more inexpedient for any Minister in a Conservative Government than to ignore the type of charges to which this letter refers. In the long run he is forced to take one of three courses. He can convince the majority of the Party that his critics are wrong, he can change the policy which gave rise to such criticisms, or he can resign."

Sir Charles Ponsonby (January 3) proposed the establishment of a Home Guard for Africa "to intimidate the intimidators".

In reply Mr. O. Wallace (January 6), who retired in November, after thirty years' service in the administrative service in Northern Rhodesia said Mr. Chittenden's attitude of resentment and resignation was deplorable and gave Africans the worst possible example.

The London Committee of U.N.I.P. said Mr. Chittenden's letter made no mention of intimidation by the Government or by the Europeans. No mention is made of the destooling of progressive chiefs; mass arrests, prosecutions and deportations under emergency regulations which, after being repealed, were re-enacted in a permanent Ordinance, or of an organized campaign to arm Europeans only—every Saturday men and women (including Civil Servants) go for a shooting practice—or of the numerous irresponsible threats by settler leaders such as "Boston Tea Party" wiping out of opponents of federation as Red Indians and the recent threat of using force to maintain their Federation. . . . Mr. Kenneth Kaunda and other U.N.I.P. leaders have repeatedly denounced violence in strong terms in keeping with the Party's constitution. We believe that this is the only (albeit temporary) insurance against an outburst of violence in Northern Rhodesia. The permanent solution lies in the introduction of a constitution acceptable to the majority of the people of Northern Rhodesia. (*The Times*, January 6.)

Mr. C. D. Smith also wrote of intimidation as "a two-edged sword used just as frequently and probably far more effectively by the Federal Party-Colonial Office coalition Government of Northern Rhodesia", and added: "As a member of the Liberal Party Executive in Northern Rhodesia, I have no axe to grind in this matter, and write rather in sorrow than in anger. African Nationalist intimidation also exists, especially in the urban areas, but although irritating it is not particularly effective, as our growing Liberal Party membership has shown. Africans could undoubtedly support the Federal Party as another alternative should they wish to do so, but the lack of response has been so pathetic that one is forced to the conclusion that the word 'intimidation' is merely being used as a convenient excuse for this failure." (*The Times*, January 3.)

## Rhodesia, Southern

### Constitutional Talks

THE Commonwealth Relations Office announced on November 29 that: "In the light of the progress made in the informal talks between Mr. Duncan Sandys, Secretary of State for Commonwealth Relations, and Sir Edgar Whitehead, Prime Minister of Southern Rhodesia, it has been decided to hold a territorial Constitutional Conference during the course of the Federal Review."



"Sir Edgar Whitehead has decided to enlarge the Southern Rhodesia delegation in London by ten additional members, thus enabling representations to be accorded, if desired, to the Asian and Coloured communities, and to the National Democratic Party and to give increased representation to the other major political parties.

"These further delegates will also be added to the Southern Rhodesia delegation to the Federal Review Conference."

The *Guardian* (November 30) said: "Mr. Sandys is believed to have wrung this concession from Sir Edgar after forty-eight hours of hard diplomatic bargaining—with Mr. Macmillan and Sir Roy Welensky adding discreet support in the background. Just how the coup was pulled off is something that will have to wait until the main protagonists are in retirement and writing memoirs instead of memoranda."

The Southern Rhodesia Conference, due to start on December 13, was cancelled after Mr. J. Nkomo, president of the National Democratic Party, had joined in the African "walk-out" from the Federal Constitutional Review Conference on the previous day. It opened three days later without the N.D.P. delegation (Mr. Nkomo and the Rev. N. Sithole).

Sir Edgar Whitehead issued a statement which referred to the "great discourtesy" of Mr. Nkomo and his fellow delegates in "arrogating to themselves the right to walk out on frivolous pretexts", and said that the N.D.P. delegation was excluded from both the territorial and federal talks.

Mr. Nkomo said that Sir Edgar was guilty of "wicked political blackmail which cuts across our basic principles" in attempting to compel the N.D.P. to participate in the Federal Review Conference as a condition for having seats at the territorial conference. The conference was held in secret, but the *Guardian* (December 17) reported that a strong protest was made at the opening session about the exclusion of the N.D.P. representatives.

A reconciliation was effected through the efforts of Mr. Ralph Palmer (Central African Party) and Mr. A. E. Abrahamson, Minister of Labour, Social Welfare and Housing. Mr. Nkomo published a letter to Sir Edgar Whitehead saying: "I wish to work together with you and I am anxious that my Party should be represented at the Southern Rhodesian constitutional conference when it resumes in January. At the same time I wish to reserve my right to decline any future invitation to attend the resumed Federal Review Conference", and saying that his action had not been meant to be discourteous. Sir Edgar Whitehead and Mr. Nkomo issued a joint declaration condemning violence and calling for peace in Southern Rhodesia.

The next stage of the talks are due to be held in Salisbury under the chairmanship of Sir Edgar Whitehead and the third stage will be also, under the chairmanship of Mr. Sandys.

### The Vagrancy Act<sup>1</sup>

Clyde Sanger (*Guardian*, December 5) said that after two months it was unclear whether the Vagrancy Act was a political expedient introduced to divert attention from the real political frustration among Africans or a bold social experiment.

Fifteen hundred men had been detained at the three reception centres. Of these, 550 who came from neighbouring territories were deported. The others remained waiting for the magistrates to hear their case. They appeared to be well treated, but there had been a mass breakout from the Bulawayo reception centre. The Act gives five definitions of a vagrant, and the two most frequently applied are "any person wandering about and unable to show that he has employment or visible and sufficient means of subsistence" and "any person who is unable to show that he is living by honest means and has a settled way of living".

The defendant has in fact to prove his innocence, and judgements must be to a considerable extent by rule of thumb. There is no defence counsel and an official said if he has enough money to pay a lawyer he isn't a vagrant, so he gets discharged. No, there's no system of free legal aid. There is an opportunity for committed men to appeal to the Governor in council (which means the Minister of Labour) through a small investigating committee which has not yet been formed. Only thirteen men have so far lodged appeals. The "re-establishment centre" at Wha Wha, near Gwelo, is being built in four units, each to house 120 men. To date forty-

<sup>1</sup>DIGEST VIII, 3.

three inmates had arrived. Seventy-two African supervisors, including trade inspectors, had been appointed. The training programme had not been worked out. There was a maximum eight-hour working day six days a week. Refusal to work could be punished by extra work, by five days solitary confinement or by three months' imprisonment.

The inmates are to be paid 1s. 1d. a day, and half is to be compulsorily saved so that if a man is released at the end of a year he will have about £7 to keep him until he finds a job. The Social Welfare Department cannot guarantee to find jobs but the Wha Wha graduates will have as good a chance as anyone else and a better chance than before they were arrested.

Only a few are married and there will be no married quarters. "Wives would just make trouble." Wives may visit at the superintendent's discretion, presumably at week-ends. There is no provision in the Act or regulations for the maintenance of these wives.

The Act states that "no inmate shall be released within the first twelve months except under special circumstances", and three years is the maximum time in detention unless he is recommended by a magistrate.

Eight Europeans and four Coloureds have been committed as vagrants also. They have been sent to Enslinsdeel men's training centre which began last year as a voluntary rehabilitation camp for Europeans.

One indisputably bad effect of the Vagrancy Act has been a flight back to the rural reserves of many unemployed Africans frightened of being arrested. They will be equally unemployed in the reserves, since the Land Husbandry Act has ended their communal rights to land, and they will be restless and resentful about the land reorganization programme.

### Law and Order (Maintenance) Bill<sup>1</sup>

Despite protests and a committee stage of 24½ hours debating, of which 18½ were continuous, the Law and Order (Maintenance) Bill got a third reading on November 25. The chief opponent to it was Dr. A. Palley, who is the sole representative of the Southern Rhodesia Party. One hundred and sixty-five divisions were called, most of them by Dr. Palley, who in his final speech said: "The Bill has been attacked on the basis that it undermines the rule of law, extends the exercise of arbitrary power by the executive, at the expense of the law, and because it fetters the discretion of the courts. It infringes on certain rights which are part and parcel of democratic life, such as freedom of speech, freedom of association and freedom of the Press." He added that the Nazis had come to power in Germany by constitutional means, but after achieving power they used legislation of this type to destroy democracy. . . . The passing of this Bill would do "great harm to race relations and widen the gap between the two main sections of the population". . . . It would eliminate moderates from public life because of the difficulties which it would create for anyone occupying public office. In place of the moderates the extremists would rise to the fore, and the problems of government would become infinitely more serious, and the prospects of good government would become less and less likely. By the introduction of laws such as this the Government had not solved a problem, but in many ways had created a more difficult one.

In its final form amendments which were accepted allowed the courts to impose sentences of less than five years' imprisonment for rioting, stoning vehicles, etc., "in special circumstances". Previously this minimum was prescribed. Moreover certain restrictions on the Press, meetings, etc., can only be enforced after the Parliament has authorized them. For some offences sentences were reduced or a fine introduced as an alternative to imprisonment. "Subversive statements" include inducing anyone to offer passive resistance to any law of the Colony of Federation. The power to ban publications is given to the Governor rather than to the Minister of Justice and Internal Affairs. (*Rhodesia Herald*, November 26.)

### Indaba Report

The Indaba or National Convention met under the chairmanship of Sir John Kennedy, a former Governor. There were 174 delegates—seventy-two Africans, eighty-nine Europeans, eight Asians and five of mixed race. The main recommendations were: (1) Increased participation by Africans in Parliament to be achieved by broadening the franchise;

<sup>1</sup>DIGEST VIII, 3.

(2) Relaxation of the pass laws, which were a stigma on Africans, and the introduction of identity cards for all races; (3) More Africans to be appointed to the public service; (4) Abolition by stages of the Land Apportionment Act; (5) Gradual integration in schools, with private schools taking the lead; (6) Abolition of liquor restrictions applying to Africans; (7) Prevention of racial discrimination in the use of public amenities, and (8) Removal of differentiation in pay scales on racial grounds in all spheres of employment. (*East Africa and Rhodesia*, November 24.)

### The New Look

By eighteen votes to nine, the Bill permitting Non-Europeans to enter the Southern Rhodesian Civil Service in the same terms and conditions as Europeans passed its third reading.

On November 24, the third reading was passed by nineteen votes to six of the Bill abolishing all except one of the permanent passes which Africans have to carry.

The committee stage was completed of a Bill amending the Land Apportionment Act so that Africans could acquire freehold title land in townships and so that townships could be established on common land in European areas. (*Federation Newsletter*, December 5 and 12.)

The Southern Rhodesia Football Association will have a national league next season in which any club of any race can take part. A similar Federal league will also be formed.

The Southern Rhodesia Mine Officers and Salaried Staff Association adopted a new multi-racial Constitution on December 4. Contribution for membership will now depend on the type of work being done and not on race.

The first Asian and Coloured firemen have started work on the Rhodesian Railways.

One African and two European unions amalgamated at a meeting on December 9 to form the Rhodesia Building Workers' Trade Union. (*Federation Newsletter*, December 5 and 12.)

After giving a contract for African housing worth some £200,000 to a firm employing European labour which had, however, not submitted the lowest tender, the Salisbury City Council revised the decision and gave the contract to Richard Costain (Africa) Ltd., whose tender was £24,000 less and who employ African labour. (*Guardian*, January 10.)

The African Education Department is spending this year £3½ million on 136 new schools and extensions to existing schools. These include a number of junior secondary schools in rural areas. (*Northern News*, November 29.)

### N.D.P. Leaders

Mr. Joshua Nkomo returned to Southern Rhodesia as president of the National Democratic Party after being in "exile" since the declaration of the state of emergency early in 1959. A crowd of more than 4,000 Africans welcomed him in Bulawayo and brought traffic to a halt. (*Northern News*, November 24.)

The *Guardian* (November 22) said his task after twenty-two months of exile was probably the toughest facing any African Nationalist leader. On his arrival at Salisbury airport Mr. Nkomo said: "While I have been away Sir Edgar has passed some terrible laws. I don't know what was in his mind. But now that I am back I demand that all the Congress leaders still detained should be freed. About a thousand other people have been arrested because they have committed the crime of being unemployed (under the Vagrancy Amendment Act). For the sake of the country we love we must demand that they be freed and demand also that the British Government initiate talks for a constitution which is representative of the people." He also said that he thought he could probably be in prison within a few months because he would not agree to these stupid laws.

The former N.D.P. publicity secretary, Mr. Nazario Marondera, was sentenced to eighteen months' imprisonment on two charges of sedition. Mr. Michael Mawema, its former president, was convicted on charges of belonging to an unlawful organization and of contravening the Public Order Act. He was sentenced to four years' hard labour. Mr. Mawema's trial had lasted three months, the longest in Southern Rhodesian legal history. Both men were allowed bail pending appeals. (*Guardian*, November 24.)

### African College

Building started at Seki, fifteen miles from Salisbury, on Nyatsime College, which is to be the first African technical and commercial school. It has come into being on the initiative of Mr. Stanlake Samkange, secretary of the Nyatsime Trust which has promised £37,000. The first principal will be Mr. M. W. Wakatama. It will start with sixty pupils a year as a junior secondary school in 1962 and gradually add on higher level courses. (*Northern News*, November 15.)

## Rhodesia and Nyasaland, Federation of

### Federal Review Conference

THE Federal Review Conference opened in London on December 5 and adjourned on December 18. The *Guardian* (November 17) described it as a Commonwealth crisis and said the points of view were quite irreconcilable and the result of disagreement could mean civil war in Southern Rhodesia. It urged that Commonwealth statesmen for India, Canada, Nigeria and Australia should be associated with the discussions. A new racial experiment in Central Africa would have a better chance if it were underwritten by the multi-racial Commonwealth.

The African Nationalist Parties indicated that they would boycott the conference unless it were preceded by constitutional talks on Northern and Southern Rhodesia. But the leaders, including Mr. J. Nkomo (N.D.P., Southern Rhodesia), Mr. K. Kaunda (U.N.I.P., Northern Rhodesia) and Dr. Banda (M.C.P., Nyasaland) and their lieutenants met together in London to evolve a concerted policy. The situation was somewhat eased by an announcement on Southern Rhodesian constitutional talks and the inclusion of N.D.P. delegates in the Southern Rhodesian delegation.<sup>1</sup> But the N.D.P. expressed dissatisfaction with (i) having only two places in a delegation of nineteen; (ii) continued detention of forty-nine Africans; (iii) uncertainty about the date of the territorial constitutional talks. (*Guardian*, December 3.)

Dr. Banda said on arrival: "I am here to demand secession and nothing but secession, nor is it a question of waiting for five years. It must be done now. If anybody tries to keep Nyasaland in the Federation they will have to send an army to occupy us and turn the whole country into a prison camp." The *Observer* (December 4) said: "The most that can be hoped from these talks is that the ill-conceived Federation will be allowed to die peacefully. Only in that way can there be any hope for a fresh start on the basis of a more fruitful association of African territories."

"Mr. R. S. Garfield Todd, formerly Prime Minister of Southern Rhodesia, wrote that the Review Conference is prejudiced already because Africans are a minority of the overseas delegations and because some of the Africans who do attend will not represent anyone except themselves and their White leaders. However, the widening of the Southern Rhodesia delegation to include the National Democratic Party and other groups is a major concession to reality. This move has given official recognition to the N.D.P., but it is regrettable that the full truth was not recognized and adequate representation permitted. . . . The responsibility of Her Majesty's Government for the future of Central Africa is very great. It now appears that it was wrong, in 1923, to have granted self-government to a racial minority in Southern Rhodesia, if, in 1960, this really precludes Britain from rescuing the White electorate from the political pit into which they have fallen, a pit which threatens to become a grave. . . ."

"If the Federation is broken up, we will all face another set of problems, certainly no less difficult to resolve. On the other hand, if the decisions result in the building of a great democracy in Central Africa, and perhaps eventually in the extension of a healthy Federal system to other states, then all Africa will benefit. . . . If at the Review Conference Britain is prepared to guide, to assist, to safeguard the rights of all, and if she refuses to allow legal technicalities to frustrate the just aspirations of 8 million

<sup>1</sup>See pages 131-2.

Africans, it will yet be shown that what is right for the Black African people is also in the best interests of the White African people." (*Sunday Times*, December 4.)

On December 4 it was announced that the territorial conference would begin on December 14 and the African leaders announced that they would attend the Federal Conference, only so long as they were sure that the Federal Conference was not being used to delay the territorial conferences on the constitutions of Northern and Southern Rhodesia. The British Government were being informed of a period beyond which they would not continue at the Federal Conference without assurance of action on the territorial conferences. . . . They also said they were "completely dissatisfied" with their representation at the conference, and would press for an enlargement of their delegations there and at the territorial conferences.

*The Times* (December 5) said: "Formerly the clashing points of view were, on the whole, territorial points of view. The territorial delegations thought and operated more or less as units. This time the African nationalist delegates will, if what has happened up to date is any guide, concert their action with the result that racial blocks will to a large extent cut across territorial blocks. In so far as this denotes a crystallization of racialism this development cannot be welcomed—but it is at least realistic. In some of the previous conferences, where the Africans had little more than token representation, the racial issue was kept muted to a degree which led to dangerous misunderstandings. What is more, the Africans, at any rate those from the Northern territories, will this time be negotiating from strength. It is fairly common ground that without their consent no form of association, Federal or otherwise, is really possible."

#### The Conference

Seventy-three delegates attended the opening session presided over by Mr. Harold Macmillan, the Prime Minister, who said in his opening address: "The future of the Rhodesias and Nyasaland is something that cannot be considered in isolation nor is it something that concerns only their own inhabitants. It has to be considered in the context of all Africa, and it is the concern of the whole of the free world."

On the succeeding days the various delegates made statements. During a speech by Sir Edgar Whitehead on December 9, Dr. Banda walked out together with the three other Malawi Congress delegates and two chiefs.

Most of the leading delegates spent a week-end at Chequers, the official residence of Mr. Macmillan, with the exception of Mr. Harry Nkumbula of the Northern Rhodesian African National Congress.

On December 12, all three African leaders, Mr. Nkomo, Mr. Kaunda, and Dr. Banda, led their delegations in a planned walk-out from the Conference. Mr. Kaunda said: "We have all walked out, including the chiefs who support our cause. We have presented our case to the British Government and there is no further useful purpose to be served. This is a final walk-out. We only attended the opening sessions of the Federal Conference out of respect for the British Ministers." Mr. Nkumbula had already announced his intention of boycotting the Conference.

The African withdrawal was followed by the cancellation by the British Government of the territorial talks on the Constitution of Northern and Southern Rhodesia which were due to begin on December 13.

The Federal Conference continued with fourteen delegates absent. In the House of Lords, the Duke of Devonshire, Under-Secretary of State for Commonwealth Relations, said that the territorial conferences would open as soon as the British Government were satisfied that there was reasonable prospect of fruitful discussion. He added that if, "within reason, the Africans are prepared to return they will be welcomed at Lancaster House". Eleven of the African delegates who remained in the Conference claimed that there were a large number of Africans, a majority, in fact, who thought that the breakdown of the Federation would mean the end of parliamentary democracy in Central Africa and the introduction of dictatorship, but conditions in Central Africa today were not such that the majority of Africans could say such things. These delegates included several Federal M.P.s and Mr. M. Phiri, vice-chairman of the U.F.P. in Nyasaland.

On December 16, the U.N.I.P. delegation (Mr. K. Kaunda and Mr. M. Sipalo) returned together with four Northern Rhodesian chiefs. The

Federal Conference adjourned after eleven sessions and it was thought unlikely that it would reconvene until March 1961.

Mr. Duncan Sandys, Secretary of State for Commonwealth Relations, indicated three general principles governing British policy. They were as follows:

1. We recognize that we have a duty towards those Europeans and Africans in the Federation, but we can discharge that duty only if they, for their part, will endeavour to co-operate with one another in the development of a policy of true partnership.

2. We are satisfied that the Federal system has effectively helped to promote economic and social progress, which has benefited all the peoples of all the three territories, and we would not wish anything to be done which will slow down the rate of further economic advance.

3. If the Federal system is to win the confidence and the support of the African population, Africans must be allowed to play a bigger part in the running of the country.

On their way home Mr. Nkomo, Mr. Kaunda, and Mr. Nkumbula said in Nairobi that there was no chance of reconciliation between them and Sir Roy Welensky, Prime Minister of the Federation, on the Federal constitutional issue.

Mr. Kaunda said: "We have made it clear that although federation is described as an economic advantage it is certainly not an economic advantage so far as Africans are concerned. They have no share in it."

Mr. Nkomo said that at the territorial constitution talks, African leaders would call for "radical changes". They did not wish to dominate—"but if there is to be a future for the White people in Rhodesia they must be willing to accept Africans as political equals". Only when the governments of the three territories were responsible to the people would the Africans be willing to talk about federation. (*The Times*, December 24.)

#### The Economic Future

Discussing the position if Southern Rhodesia seceded from the Federation in *Northern News* (November 28) Mr. Ian Hess said there might still be a currency union, so that the Central African pound could be backed by Northern Rhodesia copper exports. Northern Rhodesia might agree to this to get the support of the more varied productions of Southern Rhodesia. Without a currency union, Southern Rhodesia would be compelled to impose stringent import control and exchange restrictions. The World Bank might, as in the Indus dispute between India and Pakistan, act as arbitrator about the Kariba scheme. Southern Rhodesia's two big cities, Salisbury and Bulawayo, would be especially hard hit by secession.

Both are vulnerable as centres of secondary manufacturing industry, but Salisbury is particularly vulnerable because federation has brought it not only the headquarters of the Federal Government but the Federal head offices of the copper-mining companies, insurance companies, banking houses, building societies and many commercial and industrial firms. . . .

Of the two copper groups, Anglo-American probably has sufficient interests in Southern Rhodesia, including Wankie Colliery, to justify keeping its head office in Salisbury, but Rhodesian Selection Trust, whose interests are almost exclusively in Northern Rhodesia, would be virtually certain to move its headquarters back to Lusaka.

Salisbury could expect to remain the banking and insurance headquarters of Central Africa only if the three territories entered into a currency union, and commercial and industrial firms would be likely to maintain Central African headquarters in Salisbury only if the three territories were linked in a customs union.

The Phoenix Group of economists led by Mr. W. L. Taylor, head of the economics department of the University College of Rhodesia and Nyasaland, published a booklet called *The Wealth of Three Nations* in which they said: "One thing is patently clear, as the Monckton Commission unanimously agreed—political bankruptcy of the existing Federation. What is not generally realized, however, is that, economically, the existing Federation's outlook is equally gloomy." In spite of an impressive amount of capital investment in the past seven years, the Federation had failed to produce a higher rate of growth in income per head,



The Monckton Report is also criticized by the Group for too readily assuming that much of the economic development since 1953 flowed from federation. The booklet envisages a new plan based on certain assumptions: Economic growth demands deliberate planning; in Central Africa, planning will be most successful if it operates in a wider geographical grouping; but the advantages of a large economic unit will be dissipated unless the association between the territories is free and willing. A federation imposed by force is unthinkable and would forfeit all the benefits it is designed to bring. The plan proposes the cession—ratified by treaty—of a limited and predetermined degree of national sovereignty over economic matters by each territory to a “high authority”.

One of the main aims of the plan would be the raising of the national income by 1970 to more than £1 thousand million, and the trebling of African incomes. (*Northern News*, December 5.)

Sir Roy Welensky, the Prime Minister, said that it would be wrong to expect foreign capital to pour into the Federation once the constitutional position had been finalized. “Africa stinks—let’s face it,” he said at a Press conference. He added that it was most important for economic reasons that the Federal constitutional talks should be concluded as soon as possible. He hoped they would end by April or May. (*The Times*, December 22.)

Mr. Michael Faber, formerly lecturer at the University College, wrote in the *South African Journal of Economics* that secession would set back Southern Rhodesia’s economy by about twenty years. . . . Southern Rhodesia would assume responsibility for £130 million of public debt, nearly twice the amount she brought with her into the Federation in 1953. (This excludes the Kariba debt, which he presumes would be dealt with through a special account, and it also assumes that Southern Rhodesia would sell the Northern Rhodesian stretch of Rhodesia Railways to that territory.)

There would be a capital outflow of £15 million in the first year after secession, compared with an inflow into Southern Rhodesia of £27 million in 1953.

With the break-up of the Central African free trade area Southern Rhodesia’s export earnings in Northern Rhodesia and Nyasaland would be reduced by £6 million. Altogether the sum available for imports into Southern Rhodesia would be £11 million less than in 1953, although the White population is now one-third larger.

The internal picture he paints in quite as gloomy shades. Gross investment he sees as falling by 60 per cent in the first year of secession and revenue available for Government expenditure as dropping 27 per cent (assuming constant tax rates). As a result he estimates that the net domestic product would fall by 24 per cent within a year of secession and the national income of Non-Africans would be reduced by 25 per cent.

This contraction could be accommodated either by a reduction of average income, by wholesale emigration, or through unemployment—or a combination of all three. He suggests that there would inevitably be “a demand for job reservation for Whites that would be politically irresistible”. (*Guardian*, January 12.)

Mr. Harry Franklin, chairman of the Northern Rhodesia Liberal Party, said: “The economic benefits of the Federation are said to be the creation of a common market for the three territories, the complementary nature of their economies, and the greater creditworthiness of them as one large unit. In fact the common market always existed and the economies were always complementary—Nyasaland labour always went to Southern Rhodesia and the products of Southern Rhodesia’s secondary industries and agriculture were always sold in Northern Rhodesia and Nyasaland. Northern Rhodesia’s copper still goes where it always went—to Europe.

“The greater creditworthiness of the Federation, while it lasted, has piled up debt out of all proportion to the extra production achieved. The money borrowed was largely misapplied—notably to the glamorous Kariba hydro-electric project, instead of to the much cheaper and better-phased Kafue project, which was linked with great agricultural expansion through irrigation. The creditworthiness in any event no longer exists, owing to increasing political instability flowing inevitably from the imposition of the Federation against the known hostility to it of the great majority of the people.

“This is not to say that there would be no economic advantages in some association of the three territories which most of their peoples would accept—something on the lines of a high commission or of the treaty obligations of the European Common Market. But no political association has a chance of acceptance. . . . As for the unscrambling of the egg, those who would cling to the Federation at all costs and who maintain that disasters would follow its dissolution make no attempt to detail those disasters. Even without any kind of economic association what disasters could befall?”

“The railways would run as before under the inter-territorial railway authority. So would the airways. The Kariba Dam would not collapse; the project would continue as a power corporation. The Customs arrangement that existed before federation could be restored. The post offices would continue to sell stamps. All the services and departments would function territorially as they did before—some think more efficiently and cheaply. Thousands of Civil Servants—a great point of propaganda this—would not be out of work. The territories cannot recruit nearly enough of them at present.

“The inflow of overseas capital would not halt. It has already stopped, but would start again with the removal of political instability caused by the existence of federation. The apportionment of Federal loans to the territories would not be insuperably difficult. Disaster will not follow the break up of federation. It will follow the continued imposition of federation by force—and only force could continue the imposition for a few turbulent years.” (*Guardian*, December 7.)

## Views of the Copper Companies

In his annual statement, Mr. H. F. Oppenheimer, chairman of Rhodesian Anglo-American Ltd., said: “It is a great misfortune that the slogan ‘One man, one vote’ should have taken such a hold on liberal opinion. Far from being a guarantee of democracy, experience suggests strongly that, in present conditions, in Africa, it is a guarantee that there will not be a democracy. . . . The real hope in a multi-racial country such as the Federation is to stick as firmly as possible to the principle of individual merit, which implies that anyone irrespective of race who has certain reasonable educational or property qualifications must be entitled to vote on a common roll. We must accept that this means a White political majority now and a Black political majority in the future. Such a system could only be acceptable if there were effective guarantees against discrimination on racial grounds either in theory or in fact, by the Whites now or by the Blacks in the future. . . . Many people believe that whatever the theoretical merits of this line of thought may be, it is of no practical use because it comes up against the ‘irresistible force’ of African nationalism. Whether African nationalism is really irresistible in a multi-racial country has, however, yet to be decided. It is quite wrong to think that the majority group in a mixed state is necessarily the most powerful, still less that it is necessarily irresistible. In Nyasaland, certainly, the African interest must be paramount. In Southern Rhodesia, however, the White population, even though it constitutes only about 10 per cent of the total, is by no means a helpless community whose views can safely be disregarded.

“In Northern Rhodesia, the White population is, of course, very much smaller, both absolutely and comparatively, but it is concentrated along the line of rail and in the Copperbelt, and here the proportion is quite high enough to make it unwise to regard its views as negligible.

“Short of the use of force by the United Kingdom, and I hardly imagine that is contemplated, solutions must be worked out that can be accepted by both Black and White, and it is very dangerous therefore to set out with the preconception that, merely because Africans are in the majority, they are irresistible. Moreover, the events in the Congo have shown that an uncritical acceptance of the demands of African leaders, even if they have wide popular support, can amount to a gross betrayal of the interests of the African masses for whose welfare in Northern Rhodesia and Nyasaland the British Government is in the last resort responsible.”

Sir Ronald Prain, chairman of the Rhodesia Selection Trust Group, said in his annual statement that the dissolution of the Federation would be “the end of a great experiment in human and political relations”. He

welcomed the Monckton Commission in general, "based as it is on the recognition that in countries where Non-Whites are in a majority, the day must come when a majority of the electorate will be Non-White, and that any attempt to preserve a permanent barrier against this is short-sighted and doomed to failure. No one is suggesting that major changes can be achieved overnight, but the only realistic course is that major steps towards this should be taken with the minimum of delay. In the context of Africa today a sense of urgency leading to bold decisions may well be the course which contains the least risks.

"As far as the future of Rhodesia is concerned it is to be hoped that the negotiations in the coming year will be based on a sense of realism which will ensure a solution leading to stable political conditions. If this can be achieved, investment on a large scale should once again flow to this country and on that basis the prospects for all its inhabitants are considerably more promising than those which face most countries in a similar state of development. Without such stability, a golden opportunity will be either wasted or deferred." (*The Times*, November 17 and 21.)

### Federal Army Recruits

Recruiting for regular units of the Federal Army had been less slow in South Africa than in England. Fifty South Africans, mainly from Natal, were recruited for training and twenty-nine men arrived from the United Kingdom by air, comprising four officers and twenty-one other rank recruits, together with four soldiers seconded from the British Army.

A new plan was announced to recruit 16-year-old boys. The minimum educational requirement of Standard VIII would be lowered in exceptional circumstances. Boys of 16 earn £378 p.a. and boys of 17, £410 p.a. (*Northern News*, November 23.)

### Exclusion Continues

Mr. Per Westberg, author of several books and a correspondent for *Dagens Nyheter*, a Swedish Liberal newspaper, who was preparing to revisit Central Africa, was informed through the British authorities in Stockholm that he would not be welcome in the Federation. Mr. Westberg was in London when he heard the news.

Mr. F. I. Williams, the chief shorthand writer for the Department of Justice, was ordered to leave the Federation where he had lived and worked for almost ten years. Mr. Williams was informed of the expulsion order when on leave in London and he was allowed to return to put his affairs in order.

The *Rhodesia Herald* (November 22 and 23) said: "The way things are going, there will be few persons who will not be glancing over their shoulders to see if they are being followed, few who will not check their homes for secret microphones, few who will be brave enough to say and act as their consciences dictate. . . . There is grave concern in the Federation over the powers the Federal Parliament has voted the Government and over the use to which those powers are being put." Pointing out that the section of the Immigration Act under which Mr. Williams was declared a prohibited immigrant was that relating to information received from another Government, the paper concluded: "We wonder whether the fact that Mr. Williams entertained the wife and children, for one day, of a man who was fleeing from South Africa some months ago, has persuaded the Federal Government to take action against him."

Mr. James Sholto-Douglas, a plant ecologist, who had begun experiments which he said might lead to the establishment of a £25-million aromatic oil industry in Nyasaland, was refused a residence permit by the Federal authorities. As a result, he was unable to take up a job offered to him by the Nyasaland Department of Agriculture. Mr. Sholto-Douglas said he had played no part in politics in the Federation and he believed that he was being discriminated against because of his association with an African woman. He had been charged in South Africa under the Immorality Act but won an appeal on the grounds that the alleged offences had been committed not in South Africa but in Southern Rhodesia. He had come to the Federation with the woman whom he intended to marry and with their 18-month-old child. He thought that another possible ground for his expulsion was that he had made public a plan which might help Nyasaland to achieve economic independence. (*Guardian*, December 14.)

### Communism and Fascism

Sir Malcolm Barrow, Federal Minister for Home Affairs, accusing Mr. Macmillan of fanning the wind of change into a hurricane, predicted that "the red flag will be flying from the Cape to Cairo within ten years if the Rhodesian Federation is sold out at the London talks". He said: "All the so-called African nationalist leaders are would-be dictators, and are in fact Fascists, with Fascist methods and Fascist objectives." (*The Times*, December 5.)

Two United States Senators, F. Church and F. E. Moss, both Democrats, who were accompanied by Mr. Edward Kennedy, brother of the United States President-elect, disagreed. Senator Church said: "We have found very little indication that Communist influence in this part of Africa is very significant." And Senator Moss added that the Communists had extensive credit lines in Ethiopia, but did not have any influence as such.

"We know that they have made offers of credit and assistance in other parts, but we would not oppose this. It is all to the good—just so long as it does not mean the eventual domination of government by the Communist bloc." (*Northern News*, December 6.)

In January 1961, three Russian trade officials were to visit the Federation for talks with the Rhodesian Selection Trust and the Anglo-American Corporation, the two companies which mine copper in Northern Rhodesia. Company officials said the visit was being made at the initiative of the Russians. (*The Times*, January 2.)

### Survey of Public Services<sup>1</sup>

Following are extracts from Chapter V of Appendix VI to the Monckton Report which surveyed developments in the Federation since 1953.<sup>2</sup>

Article 40 (2) of the Federal Constitution states:

"No person domiciled within the Federation who is a subject of Her Majesty or a person under Her Majesty's protection shall on the ground of race only be ineligible for employment in the Federal Public Service . . . regard shall be had only to his competence, experience, and suitability." But it would have been unrealistic to expect that all members of the Service should have identical terms of service. In 1956 four branches were established. Branch I now includes all future European recruits, all Non-European doctors on first appointment, and Non-Europeans promoted from Branch II. Branches II, III, and IV are, in effect, entirely Non-European. The range of direct appointment to Branch I of Non-Europeans will be extended when circumstances permit. By September 1959, four Non-European doctors, and one African Information Officer have been appointed direct to Branch I.<sup>3</sup>

Branch II, with salaries of £314-£1,720, is largely intended to serve as a proving ground, before promotion to Branch I, of Non-Europeans. Inside the Branch, Non-Europeans with qualifications and training equal to Europeans, do not get parity on these grounds alone. They have to hold a post previously held by Europeans of similar qualifications, for a period, and demonstrate that they can maintain standards of integrity, responsibility, efficiency and devotion to duty. Since 1956 the total increase of Non-European staff has been thirty-eight, of which fifteen have been transferred to Branch I. Branch III covers clerical and technical posts; the establishment is 5,313 with salaries ranging from £78-£840. Branch IV covers messengers and domestic staff; the establishment is 10,338, with male salary scales of £32 (in Nyasaland) to £780. In the lower scales quarters, uniforms, fuel, etc., are provided in kind. Since its establishment the Federal Service has increased its European staff by about 3,800 and its Non-European staff has increased by about 6,000. "The percentage of Non-Europeans employed has risen from 58 to 59.5 per cent."

### Southern Rhodesia

In 1931 laws relating to the Civil Service were consolidated in the Public Services Act which has subsequently been extensively amended. This Act only applies to officers and it excludes Africans and Coloured persons. On April 1, 1959 a motion was carried in the Legislative Assembly "that . . . the time has now come to admit Non-Europeans to the Southern

<sup>1</sup>Monckton Report, Appendix VI, Cmd. 1149.

<sup>2</sup>Education and Health Services will be dealt with in subsequent issues.

<sup>3</sup>There are now seventy-eight Non-Europeans in Branch I. From July 1960, 154 posts in Branch III (Non-European) were upgraded to Branch II: DIGEST VIII, 1.



Rhodesian Civil Service".<sup>1</sup> In addition to officers the Government has a large number of employees who are outside the Civil Service.

There are three classes of African employees, Teachers, and the Senior and Junior Divisions. (Junior Division posts carry relatively little responsibility, no academic qualification is required for them, and they are "unestablished".) Senior Division posts are "established"; recruits are generally required to have a Standard VI education (eight years' primary education). Recruits to the highest grade in the Senior Division (E) require as a minimum qualification the Cambridge School Certificate or its equivalent; the scale of pay is £300-£450 per annum (in the lower three grades the scale is £78-£276 per annum). In the Junior Division the scales are from £78-£278 per annum with free quarters and clothing in addition. The same Divisions exist for Coloured employees but pay scales are higher, ranging from £300-£1,020. African employees in the two Divisions numbered 3,075 in 1953 and 3,877 in 1959. Those in the Teachers' Division increased from 399 to 1,102. The total number of Europeans in the Civil Service was 9,232 in 1953 and 3,998 in 1959. The fall in the European numbers is explained by the secondment of over 4,000 officers to the Federal Service.<sup>2</sup>

#### Northern Rhodesia

The Secretary of State for the Colonies is responsible for Territorial Civil Service, and acts through the Governor, who has overall responsibility, and the Chief Secretary who is head of the Northern Rhodesian Civil Service. There is a European Civil Service (but posts in it are open to Non-Europeans)<sup>3</sup> and an African Civil Service, each with a Civil Service Commission of its own. Both have Staff Associations and Whitley Councils. As in the case of Southern Rhodesia it is not possible to compare the composition of the Service in 1954 and 1959, owing to the transfer of some departments to the Federation. The 1959-60 Estimates provide for 3,522 European posts (which are filled) and an establishment of 5,777 Africans. These numbers do not include a police force which has 896 European officers and 4,380 African other ranks and thirty-six African inspectors. Omitting the police, 60 per cent of the total number of Civil Servants are Africans. All Africans are recruited in the Territory, but a significant number of them came originally from Nyasaland.

"A range of posts suited to individuals at all levels of education and training is open to candidates of all races (Asians are barred from the African Civil Service, in order to preserve jobs for Africans, but this bar is to be removed) and promotion is open on merit alone to all members of the Civil Service." The aim is to give equality of opportunity. The European Civil Service contains all the higher level posts, at present. Some posts in both services have the same title but are not identical (as duties and responsibilities in the African Civil Service are set at a lower level).

In 1959, in the higher posts there were 168 Europeans of Super Scale (Salary) rank and no Africans; in administrative and professional posts there were 750 Europeans and three Africans; in executive and accounting and higher technical posts there were 431 Europeans and fifty-three Africans. In African teaching there were four masters and seven assistant masters and eighteen teachers on higher salary scales. There were only six Africans in these higher posts in 1953, all of whom were in teaching as masters. In the whole Service in 1953 only forty-four Africans had salaries which overlapped European scales. There are now 127 on such scales including three on full European salary scales.

In the Junior African Division preference is given to candidates who have passed Standard IV primary school course. As soon as candidates are available a two-year secondary course (Standard VIII) will be required for candidates for the Senior Division instead of the present minimum requirement of Standard VI. The three salary scales in the Senior Division are: A, £79-£270 a year; B, £210-£488; and C, £276-£688. Civil Servants are encouraged to advance from one scale to another by means of loans

for correspondence fees. New intermediate posts have been established in which Africans can get experience to fit them for promotion to posts which hitherto have been occupied by Europeans. These carry salaries which overlap the scales attached to corresponding posts in the European Service and rise to a maximum of £1,390 a year. Thirty-eight out of sixty-four of these posts have been filled.

"The very limited number of Non-Europeans in the middle and higher grade posts . . . is due to the lack of Non-Europeans with the educational and other qualifications necessary. . . . Every Non-European who can satisfy the recruiting authority that he is fit . . . for direct appointment to a vacant post in the present European Civil Service will be so appointed", and any serving Non-European who shows fitness is promoted to a full post in the European Service.

Maximum salaries in grades B and C in the Senior African Division are higher than those for African employees in the Senior Division in Southern Rhodesia.

The Government intends to merge the present European and African Services into a Northern Rhodesian Civil Service "irrespective of race". In the future expatriate conditions will not apply to locally based officers of all races. South Africans who are appointed will be regarded as "local" officers.

#### Nyasaland

The constitutional position is the same as that in Northern Rhodesia. In 1956 the two branches were renamed the Senior and Junior Branches, as an increasing number of Africans were obtaining posts in the former European Civil Service. There is a Nyasaland Senior Civil Servants Association, and the Junior Branch has a Nyasaland African Civil Servants Association. As yet, no Whitley Councils exist.

In March 1954 there were no Africans in the Senior Branch of the Service. In July 1959, 4.2 per cent of the posts were held by Africans. Promotions are made direct to these posts from the Junior Branch on merit, and their salary scales are somewhat lower than equivalent expatriate scales. There is no intermediate grade for Africans in these posts (as there is in Southern Rhodesia).

In the general and clerical division of the Junior Branch the minimum requirement is a Standard VI certificate. This is being replaced by a Standard VIII qualification and it is hoped that in due course the educational qualification can be raised to Standard X (four years' secondary education). Promotion is by merit and an African officer in the Junior Branch can reach a point in the salary scale, at the top of the Junior Executive Division, £620 per annum, which is close to the starting salaries of junior Europeans in the service.

In 1959-60 there were 321 Europeans and six Africans in administrative and professional posts; seven Europeans in senior executive and accounting posts; 184 Europeans and twenty-nine Africans in executive and accounting posts; 363 Europeans and fifteen Africans in senior technical posts. There are no Africans in senior teaching posts, where there are thirteen Europeans. Thus there were 983 Europeans and fifty Africans in senior posts. All other posts below these were held by 4,141 Africans.

In 1959 in the police force there were 177 European officers, seventy-eight African officers below gazetted rank, 365 African N.C.O.s and 1,484 other rank Africans.

"The limited number of Africans at present holding posts in the middle and higher grade posts in the Service is due to the lack in the past of those with the educational and other qualifications necessary for appointment. . . . This shortage still continues and reflects the general level of education of the African community." But fit Africans are appointed or promoted to such posts and any African officer who demonstrates fitness for training which will enable him to be appointed to such a post can obtain local or overseas training at Government expense.

The Government plans to reorganize the Service. There will be an expatriate Service with conditions similar to those of present European officers. There will be a local Civil Service designed for officers of all races whose residence is in Africa. In practice admission will be restricted to Nyasalanders, but anyone recruited from another territory in Southern Africa would not get expatriate terms. "It is expected . . . that it will

<sup>1</sup>See page 133.

<sup>2</sup>Hence 1953 cannot be compared with 1959, but the position in 1959 is that, omitting a small number of Coloured "employees", the Public Services are staffed by 50 per cent White Civil Servants and by 50 per cent Black "employees" who are unable as in the Federal Service (to some extent) to rise above junior positions, as yet. The number of Europeans and Africans in the police force are not given in the survey.

<sup>3</sup>Three Africans held posts in it in 1959, and one Asian was employed in the African Civil Service. (Survey, p. 71, para. 82.)

remain necessary to fill a large number of Senior Branch posts by the appointment of expatriate officers for some time to come, although it is hoped that the need for this will steadily disappear."

## EAST AFRICA

### Federation

THE Pan-African Freedom Movement for East and Central Africa (P.A.F.M.E.C.A.), at a meeting in Nairobi, announced its support for a federation of East African states. It urged the immediate break-up of the Central African Federation, so that the member countries might join later into a wide organization covering East and Central Africa.

They said that the forthcoming elections in Kenya, Uganda and Zanzibar should be followed immediately by the establishment of African-controlled governments with African Prime Ministers, who would hold a "summit" meeting to work out details of federation. This federation was seen as not only "politically and economically essential" for unity and social betterment of East African peoples, but one that could be brought about only by elected and African-controlled governments without interference from "reactionary and imperialist elements". (*The Times*, January 13.)

## Ethiopia

### Attempted Coup

BROADCAST reports from Addis Ababa on December 14 stated that Crown Prince Asfa Wassen, the eldest son of Emperor Haile Selassie, was heading a new Government of Ethiopia after a *coup d'état*. Emperor Haile Selassie was on a State visit to Brazil.

The broadcast was read in English by an announcer who said he was giving the translation of an earlier statement in Amharic by the Crown Prince. The broadcast said: "The laws and regulations of the country have been abused to deprive the common people of their rights and privileges in order to boost the riches of the favoured few. The people of Ethiopia have waited for a long time with patience in the hope that they will be free some day of oppression, poverty, and ignorance. In doing this they have amply demonstrated their abundant patience. But empty promises can no longer satisfy the people, who now want concrete action, aimed at improving the standard of their living. Development plans have not been executed in practice and the long strides being made by the newly independent African States, which are making progress day by day, have made the people of Ethiopia realize that these new nations are advancing pretty fast, leaving the people of Ethiopia behind, and this has shattered the hopes of the Ethiopian people." The Crown Prince said he would serve his country and people in accordance with the constitution and on a salary, as decided, like any other Ethiopian.

According to the first reports reaching London, troops of the Imperial Household Guard, said to be led by General Mengistu, seized power on the night of December 13 and by December 14 controlled wireless and telephone communications and other central positions in Addis Ababa. (*The Times*, December 15.)

A broadcast on December 15 stated that Crown Prince Asfa Wassen was proclaimed King (Negus) of Ethiopia. Ras Imru was named as the new Prime Minister. (*The Times*, December 16.)

Ethiopia Radio also reported that fighting had broken out in Addis Ababa. Fighting started after General Mengisha, Chief of Staff, had issued a proclamation declaring that the armed forces remained loyal to Emperor Haile Selassie. It claimed that a "a few disloyal troops" of the Emperor's bodyguard forced Crown Prince Asfa Wassen to broadcast and to give the impression that all the armed forces are supporting him. This was "entirely untrue".

The proclamation repeatedly emphasized that "the armed forces would always carry out the orders of the Emperor to whom we have vowed allegiance". (*Daily Telegraph*, December 16.)

When Emperor Haile Selassie returned to the country on December 16 a guard of honour of the Ethiopian Army, Air Force, and Navy and the Eritrean police rendered honours. The Army band played the national anthem. Crowds shouted "Long live Haile Selassie".

Before leaving Liberia, on his way home, Haile Selassie said the confused situation in Addis Ababa was something that would pass soon. "Such confusion is caused always by irresponsible people, and we believe that this is the case in Addis Ababa."

It was reported that loyalist troops had crushed the revolt against his régime. A further message from Addis Ababa Radio, heard in Nairobi, quoted the Emperor as saying that all statements made by the Crown Prince during the revolt had been made under duress. (*Guardian*, December 17.)

On December 17 it was announced that loyal forces had broken the rebellion after thirty-six hours' fighting. The Emperor confirmed that the governors of all provinces throughout Ethiopia had cabled their allegiance to him. He denied that the revolution had been engineered with the help of foreign interests.

Asmara Radio said that 5,000 dissident members of the Imperial Guard had ignored the loyalist commander's ultimatum to surrender and the Ethiopian Air Force bombed and machine-gunned the rebel strong points. Heavy artillery was also used. (*Observer*, December 18.)

In a broadcast on December 18, the Emperor promised an amnesty to all who took part in the abortive coup if they admitted their error. He said they could surrender to his representatives in all provinces. He expressed his sadness at what he called an "irresponsible" revolt, and his sympathy for the families of all who lost their lives. He referred to progress made in Ethiopia and said that his travels abroad had been to make friends with the nations of the world. (*The Times*, December 19.)

At least fourteen were massacred in the palace on December 15. They included the Minister of State in the Foreign Ministry and the Minister of Commerce and Industry; the Governor of Tigre province and the Minister of Defence.

On December 20 a Government spokesman gave the following casualty list: Armed Forces: 29 dead, 43 wounded. Civilians: 121 dead, 442 wounded. Imperial Guard: 174 dead, 300 wounded.

At a Press conference the Emperor stated that the Presidents of Liberia and Soudan, whom he saw on his way home from Brazil, told him they were ready to help him. "The British, Yugoslavs and Americans sent cables of sympathy," he said. "The Soviet envoy in Addis Ababa saw me after my arrival and conveyed his Government's sympathy." All Ethiopian missions abroad were against the rebels except the Chargé d'Affaires in Stockholm. He had been dismissed. (*The Times*, December 21.)

A *Times* Special Correspondent commented that although precise details of the coup were still difficult to establish, enough could be pieced together to suggest that the immediate reason for failure of the palace coup was hesitation on the part of the rebel leaders soon after they had proclaimed their authority. Beyond this, of course, there were more profound reasons for the collapse of the rebellion, not least the remarkable personal dominance of Emperor Haile Selassie. His spiritual and temporal leadership was such that even the rebels tried to avoid a direct personal clash with him. Besides staging their coup while he was out of the country they avoided mentioning his name in their proclamations, as if to leave the way open for a *modus vivendi* if and when he returned.

Another less understandable reason, however, was the failure of the rebels to ensure the support of the Army and Air Force beforehand—an oversight of such staggering proportions as to imply an overweening confidence in their own capabilities and the strength of the Imperial Guard. For without the Army, supine or co-operative, they could scarcely have hoped to hold the entire country. (*The Times*, December 22.)

A general article in *The Times* stated that in spite of the Emperor's personal efforts to improve education, the literacy rate is believed to be no higher than 10 per cent, and there are only about 600 college graduates, of whom about half have been educated abroad. Although these men may secure Civil Service appointments on good pay, they complain that they are given no work or responsibility.

With such grievances, young officers are easily inspired to action by the achievements of military revolutionaries elsewhere. . . . Vaguely Marxist

notions and the slogans of pan-Africanism are eagerly accepted. Practically to a man, for instance, the students here seem to be supporters of M. Lumumba in the Congo as a symbol of freedom and anti-colonialism; and to suggest, as the Government does now, that they were forced against their will to demonstrate in support of the rebel régime last week is plainly nonsense. Yet the coup failed—perhaps fundamentally because it came too soon. The Emperor, therefore, at the age of 68 has won more time to bring his country into line with African developments.

It concluded: "Ethiopia is rather like a European country at the end of the Middle Ages where the feudal barons have been vanquished—in this case partly through the efforts of Haile Selassie and partly through the Italian occupation—and a sense of national identity has been imposed through loyalty to the person of a single ruler.

"This idea of personal loyalty has been one of the Emperor's constant themes since his return. But although many of his ignorant subjects may offer him such loyalty, the time has come when his country must make the transition to the nation state, in which loyalty to kings becomes at best a symbol for loyalty to country.

"It may be that this will prove to be the significance of last week's abortive coup—that a new concept of nationhood has arrived physically upon the Ethiopian scene and will not be forgotten even by the ignorant. It may be, too, that if the old régime cannot accept it and adjust to it, a new régime will force its way in." (*The Times*, December 24.)

Replying to the article, Endalkachew Makonnen, Ambassador of the Imperial Ethiopian Embassy in London, wrote that the report of December 24 was "grossly ill-informed and irresponsible". It concluded: "Your Correspondent makes the rather rash conclusion that the whole of Ethiopia's educated youth was either tacitly or actively involved in the recent rebellion in Addis Ababa. The mere presence of a few graduates among the leaders of the revolt does not provide sufficient ground for such a sweeping conclusion. On the other hand, anyone who knows Ethiopia, as no doubt many of your readers must do, will testify to the fact that though every Ethiopian, from the Emperor himself to the humblest of his subjects, is dedicated to achieving progress, yet the cruelties and bloodshed that have characterized the recent revolt are excesses which all Ethiopians would abhor." (*The Times*, December 31.)

## Kenya

### Election Manifestoes

#### Kenya Coalition

THE policy statement of the Kenya Coalition was issued on December 1 under the title of "Now and the Future". It is prefaced by its leader, Sir Ferdinand Cavendish-Bentinck, and declares that its objective is to ensure fair treatment for those who have developed Kenya and to fit their interests harmoniously into the emerging political pattern. "We thus regard our role as that of watchdogs and not lapdogs, convinced that we are entitled to advise and voice our point of view during the moulding of the next stages of evolution which will come under review as soon as the election is over."

Such plans might include proposals for an East African Federation, which the Coalition indicates it would strongly support, "if based on economic considerations". It would in any event seek to retain the common services at present administered by the East Africa High Commission.

The basis of the Coalition's policy is to ensure that Kenya's Europeans, many of them third generation, will be able to stay and play a part in the development of the country. The statement claims that the Europeans and other minority groups wish to co-operate in making a new Kenya, and not to delay or hinder its advance. The country, however, faces financial instability because of fears of predatory penalization rather than economic utilization of interests which the minorities have built up.

The Coalition calls for urgent rethinking on the economic issues at the highest level in Britain. The measures the Coalition suggests include steps to ensure free transport of assets within the sterling area, the quotation of forward rates of exchange by an East African Currency Board between Kenya and Britain, and underwriting of the continued development programmes of public utilities and local authorities. Britain should also

"show similar realism to that exhibited by other countries investing in territories such as Kenya" by introducing some form of Commonwealth investment schemes on the lines of the American International Co-operation Administration.

The Coalition emphasizes that the British Government should stand behind the land titles it has granted. It is obvious, the statement says, that if the validity of a title is called into question the whole basis on which the economy of the country has been built must collapse.

On the question of further constitutional change the Coalition says that it stands for orderly and planned transition to responsible government and eventual independence, taking into account the interests of all communities.

Emphasizing that security is the principal element in the maintenance of confidence, the Party says that adequate security forces must be kept. The judiciary must remain independent of the executive, the Press must be free, and the Government must guard against recrudescence of ancient tribal rivalries and consequent violence. Attempts to exert political and economic pressure through intimidation must be sternly resisted. Promotion of suitable Africans in the army and police forces must be stimulated, as failure to do this has led to the disintegration of security forces elsewhere.

The British Government must at all times retain control of the terms for expatriate Civil Servants, and at the time of independence they must be given a chance to choose to retire from the service (with adequate compensation in lump sum plus the pension earned, as in Malaya) or to remain with the independent Government.

The statement gives a warning against forcing the pace of educational integration.

Strongly criticizing franchise arrangements for next February's general election, the Coalition particularly complains of the figure of 25 per cent support which candidates must receive in primary elections for reserved seats. It points out that the European Elected Members had unanimously agreed that that figure should be 33½ per cent, but that this was disregarded by the Government. "The Coalition views the whole procedure as a purposeful partisan, political machination at variance with the role of the Government, which may yet have undesirable repercussions." (*The Times*, December 2.)

#### New Kenya Party

The policy statement of the New Kenya Party, which is led by Mr. Blundell, was issued under the title of "Plan for Success". On the constitutional issue it states: "At Lancaster House the members of the New Kenya Party accepted constitutional proposals which went beyond the limits they considered desirable, because they believed that an agreement entered into with the African leaders was the only base from which Kenya's political and economic future could be developed.

"Despite subsequent verbal condemnation of the Lancaster House agreement by many African and European leaders, we are convinced that the decision was wise. Had a stalemate ensued, or had there been an imposed constitution, it seems certain that the nationalist attitude would have hardened and hopes of future co-operation would be very much dimmer than they are in fact today."

It refers to the problems facing Kenya before full independence can be achieved, viz. (a) The need for a long-term arrangement to ensure a stable and efficient framework of experienced officers in the Civil Service upon whose experience and integrity the training of local officers can be based. (b) The obligations which Her Majesty's Government assumed under the treaties with the Sultan of Zanzibar and the Masai. (c) The maintenance of facilities in Kenya for the defence of Africa and the free world provided from overseas.

The Party advocates the conversion of the existing Council of State into a Second Chamber which will act as a safeguard for minorities. The Second Chamber should include representatives of economic and religious interests, in addition to whatever geographical representation is decided upon. It also advocates an independent judiciary.

On the question of franchise it states: "It is unrealistic to suppose that universal adult suffrage—one man, one vote—will not be the basis of the franchise in the future. But whatever the eventual pattern of the franchise



may be, we believe that in the foreseeable future the reservation of seats for minority interests must be retained, until such time as racial prejudice disappears."

The Party believes that without the stable conditions which the maintenance of the rule of law brings, there can be no economic confidence, and capital for development, whether for industry or agriculture, will not be attracted in sufficient quantity to match the rate of economic expansion which the country needs for progress.

A long section on land policy is summarized as follows: (a) We believe that private enterprise is the right instrument to develop land in the national interest. (b) We advocate the support of land values by the purchase of farms in the settled areas, by the Land and Agricultural Settlement Board, for the creation of Yeoman Farmers, and pledge ourselves to do our utmost to secure the necessary finance. (c) We advocate the greatest possible development of agriculture, particularly in the African Land Units. (d) We advocate the creation of schemes under proper administrative control for smallholders to relieve pressures from the landless. (e) We pledge ourselves to whatever measures may be required to secure land titles.

The Party recognizes that certain public services might be managed by Central or Local Government, or its agents, to the benefit of the people generally, but we oppose extensive nationalization, or collectivization of land, industry or commerce. It also believes that arbitrary redistribution of wealth by discriminatory taxation, or by any other means, can only be detrimental to the individual enterprise which is so necessary to an expanding economy.

In education the Party favours a common curricula for schools of all races; English must continue to be the medium; expansion of secondary education is urgently required, most of all for African children; continuation of the system of Boards of Governors, at present operating in schools and institutions of all races. The Party believes it is essential that parents' representatives be fully consulted about the admission of children of other races to schools. It advocates a large-scale programme of adult education and recommends the setting up of an Independent Planning Commission to examine and advise upon the total educational structure of the Colony from primary to university level with particular reference to the development of secondary and vocational training and the provision of higher-grade teachers.

The principle of East African Federation is supported.

#### K.A.N.U.

The Kenya African National Union's policy statement, "Manifesto for Independence and Freedom", was released on November 18 by the president, Mr. James Gichuru. It opens with the words: "The very first aim of the Kenya African National Union is to fight relentlessly to achieve and maintain independence for the people of Kenya. On this hangs all the other aims and objects of the union; for without freedom and independence from imperialist rule and exploitation, our ideal to reconstruct Kenya into a country free from oppression, and a home free from hunger, sickness and ignorance will never be realized. The welfare of our people, their standard of living, wealth and health, education and culture cannot be treated with priority by the imperialists. . . .

"It is a misnomer to say that Kenya is fighting to 'gain' her independence or that Britain would 'give' the people of Kenya freedom. Our freedom and independence was taken from us by forces which cannot but be termed violent. We shall without any further delay regain it. . . . K.A.N.U. is the vanguard under whose banner the poor, the sick, the illiterate who go to form the indigenous community of Kenya must rally to regain their independence and freedom from social, political and economical domination by those whose vested interests are founded in imperialism and colonialism. K.A.N.U.'s main goal, as a national movement, is independence now."

It states that the most significant economic feature of the African population is poverty. After some discussion of socialism and capitalism it advocates a "planned economy" based on a parliamentary democracy. K.A.N.U. aims at doubling the national income. This national income must be equitably distributed so that the vast gap between the rich and poor can be bridged. It advocates comprehensive irrigation schemes,

development of co-operatives and the setting up of an East African Agricultural Development Board.

On the subject of land: Resettlement will be K.A.N.U.'s foremost problem; resettlement not at the cost of the high standard of agriculture already attained, but definitely at the expense of the absentee landlordism, of individuals owning large square miles while neighbouring African people jostle in small areas.

The White settler must, if he wants to be considered part and parcel of Kenya, wean himself from the group mentality and begin to be individual in approach to Kenya's problems, whether economic or political. People must discard group conflicts so that each person may depend on the Constitution for his rights. As K.A.N.U. will never be prepared to countenance privileges, particularly those demanded on group basis, so also will K.A.N.U. be committed to protect individual rights. Rights to land and property on land are dear to the settler just as they must be fundamental to the indigenous people whose lands were taken away. In the course of land reform—which is inevitable—K.A.N.U. will bear these factors in mind. In other words K.A.N.U. at present cannot commit any future government to the principles of compensation although the principle of fair and just compensation in the course of such reforms is accepted. In this compensation, the British Government cannot but accept some responsibility.

K.A.N.U. contends that it is completely the responsibility of the British Government where any promises or guarantees were given to any individual or group in Kenya. To try to dodge this responsibility by placing Kenya in huge debt in form of loan for Land Stabilization Fund, which would merely inflate the value of land, must be considered as completely artificial and not in the interest of Kenya. Kenya cannot accept the scheme of the Land Stabilization Fund. At the same time K.A.N.U. invites all who believe in fairness and justice who are ready to develop Kenya, to remain and to partake in the building of this country.

K.A.N.U. is convinced that during this interim period Kenya needs a "crash programme" of Africanization. Such a programme should consist of a deliberate aim to secure promotion and recruitment opportunities for the Africans. Localization to K.A.N.U. means no more than Africanization. K.A.N.U. attaches great importance to the need for the highest standards of efficiency, integrity and honesty in the Civil Service. We shall require expatriate Civil Servants who may be necessary for the efficient administration of Kenya to stay on. Such persons will be suitably employed under contracts and expected to serve Kenya faithfully and loyally.

On the subject of education: There are in Kenya nearly 1½ million children of school age (6-15). Only a very small part of that number is at school today. To provide education for all of them would be impossible under the present system. K.A.N.U. is confident that if the resources of Kenya are fully exploited the challenge to give that number of children seven years' compulsory education can be met. . . . War against ignorance is the only thing that will save Kenya from backwardness; and education must be treated as a national emergency.

K.A.N.U. maintains that denial of freedom to Jomo Kenyatta and the detained people of Kenya is a mockery of justice. These leaders must be released. K.A.N.U. is certain that the continued detention of these leaders is contrary to the basic interests of this country. It unnecessarily poisons the relationship between the Africans and Government. At the leaders' conference at Kiambu, Jomo Kenyatta was unanimously elected president of the Kenya African National Union. Despite legal technicalities Jomo Kenyatta, the father of Kenya nationalism, is our leader.

In the field of foreign affairs K.A.N.U. will work for Pan-Africanism because it believes that in the collective approach to all problems facing Africa lies salvation and way of realization of the lost dignity. . . . As soon as we are independent K.A.N.U. will condemn any cordial relations with South Africa and Portugal. We shall strive by every means within our power to help our brothers in South Africa and Portuguese territories to achieve freedom. It must also be mentioned here that all these great countries which build their bounties on the South African industry and agriculture, which it is common knowledge is built on the slavery of the African people, cannot look for friendship in any African state.

K.A.N.U. has no intention to take Kenya out of the Commonwealth, but K.A.N.U. would not commit any future Government of Kenya to a

situation in which, against best judgement, the Government will have to associate with inhuman states like South Africa.

The United Nations can play the greatest part in the development of the now underdeveloped countries like Kenya. K.A.N.U. will work for the realization of this objective which is already included in the U.N.O. Charter. At the same time we shall resist strongly if the U.N.O. tries to become a dominating force for the super power or if it tries to reduce any country to a position of perpetual international trusteeship.

As a first step towards complete Pan-Africanism, K.A.N.U. will work with the other states of East Africa for the formation of East African Federation.

Finally on military bases it states that Kenya must not be a pawn in the struggles of the East and West. We are certain that our people would not approve of Kenya being used by N.A.T.O. K.A.N.U. condemns the fact that British chose to ignore African protestations at the time when they started to establish the Kahawa British military base. K.A.N.U. will press for the immediate closing down of the base.

#### K.A.D.U.

On December 18, the Kenya African Democratic Union published its policy statement. A *Times* correspondent wrote that it advocates eight years' compulsory free education instead of the seven suggested by the Kenya African National Union, and matches or betters the K.A.N.U. pledges in almost every other respect. K.A.D.U. announced its policy as a manifesto for the building of a "welfare democratic state", and to this end it proposes free medical treatment for all, and more government hospitals and health centres.

Points of similarity with K.A.N.U. policy include a demand for the complete Africanization of the Civil Service; abolition of the present system of provincial administration; a foreign policy of "friendly relations" which "necessitates the non-existence of foreign bases in Kenya"; a call for release of all detained and restricted persons (Kenyatta is not mentioned by name); a promise of full employment, higher living standards and rapid industrialization.

On the key question of land and compensation for its loss, it says that alienated land which is undeveloped or underdeveloped should be acquired by the Government and given to needy landless Africans, but it does not specify how this shall be defined. No compensation is mentioned, but provision is made for compensation in a separate section on property other than land.

The section on land is brief. It points out that land is the sole old age security for Africans, and proposes that an agricultural economy should be planned and that African farmers should be given loans to increase the productivity of cash crops. It also calls for the encouragement of consumers' and producers' co-operatives.

On education the Party promises that the right to establish private schools shall be guaranteed by law and that voluntary agencies will be allowed to continue; but it also states that all schools must be open to all children. One or two novel suggestions are made in the document including the formation of a builders' brigade of trained and untrained people to solve the housing problem, and the formation of African national banks. The pledge to safeguard freedom of religion, conscience, movement, organization and speech is given, and the Party affirms that the judiciary must be independent of the executives.

The proposed East African Federation is given qualified approval: K.A.D.U. says that this must rest with the free wishes of the inhabitants of the territories after they have achieved full responsible government. (*The Times*, December 19.)

### Election Campaign

Sir Ferdinand Cavendish-Bentinck, leader of the Kenya Coalition, announced that he intended to oppose Mr. Michael Blundell, leader of the New Kenya Party, in the Rift Valley constituency in the primary elections. There is every reason to suppose that Sir Ferdinand would have a fairly comfortable majority of primary votes over Mr. Blundell in the light of current European sentiments. However, under the Lancaster House constitution this is not enough: any candidate receiving at least 25 per cent support may go on to the common roll election.

Mr. Blundell would seem to have the better chance of final election at the common roll—if he could not muster the qualifying 25 per cent support from Europeans the outlook for his non-racial Party would be grim indeed. At the common roll the issue will be largely decided by the Africans, who total more than 20,000 of the 23,000 Rift Valley voters. (*The Times*, December 4.)

A statement issued by the Department of Information of the Kenya Government was issued on December 13. This stated the Government policy was to work for the achievement of "early and successful self-government by planned and constitutional stages". It went on to make five points:

After the 1961 elections the Government of Kenya would not be a solely African Government but would be composed of citizens of all races with increased African participation.

Land belonged to those of all races who held legal titles to it. There was no truth in the claim that all land belonged to the Africans. The governing of Kenya was the Government's responsibility and the Government officials were outside political parties. The Government would not hand over its responsibility for governing the country and for maintaining law and order to any political group or party and would not be influenced by any threats or propaganda into doing so. The achievement of early and successful self-government would inevitably be delayed if lawlessness occurred.

The statement appeared to be directed mainly to utterances of leaders of the Kenya African National Union, which are becoming more colourful as the chief figures quarrel privately and try to outdo each other on the public platform. (*The Times*, December 14.)

An editorial in the *East African Standard* (December 14) stated that the purpose of the statement was to counteract misconceptions caused by the election fever which was sweeping Kenya. It expressed the view that the Government's purpose would be immeasurably strengthened if the leaders of K.A.N.U. and the rival K.A.D.U. could publicly associate themselves with the statement.

In a debate in the Legislative Council the question of the 25 per cent vote required by a candidate to go forward from the primaries was raised. The Chief Secretary announced that he was not prepared to budge from his position that 25 per cent was a "genuine and effective" support. (*East African Standard*, December 16.)

Clyde Sanger, writing in the *Guardian* (January 7), commented that the Rift Valley contest between Sir Ferdinand and Mr. Blundell was assured of a place in the history books. Mr. Mwai Kibaki, an economics lecturer at Makerere College who recently became executive officer of the K.A.N.U., recognized this fact in the strongest terms. He said that the future of Europeans in Kenya would be decided when the 23,000 African voters in the Rift Valley made their choice. Mr. Kibaki continued by saying that Africans would have to choose between Sir Ferdinand, who wanted Europeans to leave Kenya after being paid a colossal sum of money, and Mr. Blundell, who was encouraging them to stay and adjust themselves to the prevailing conditions. Although this distinction is more than slightly unfair to the Coalition, it is almost certainly the distinction most African voters will make.

### Election Time-table

Polling days in the primary elections in reserved seats take place between January 18 and January 23. For all open seats, nomination day is January 24 and common roll elections in all constituencies will be held between February 20 and February 27. No results of polling in the common roll election will be announced before February 27. (*Kenya Newsletter*, December 20.)

### Bill of Rights

Two Orders in Council and a Bill of Rights were published on December 7. One Order in Council dealt with land—the establishment of a Central Land Advisory Board and a Trust Land Board empowering the Governor to make regulations affecting the tenure, use and control of all land, and prohibiting certain racial restrictions on its ownership or occupation. The second detailed the composition of the new legislature in



conformity with Lancaster House planning, and contained a statement of Fundamental Rights.

The *East African Standard* (December 9) commented that apart from reactions coloured by political prejudices, the declaration would be seen as a judiciously reasoned charter of human rights.

Reference was made to the compulsory acquisition of property in a section devoted to protecting the sanctity of private ownership, wherein property, moveable or immovable, is mentioned. In this context, immovable property includes land; and the section said there should be no expropriation without just compensation and then only for the public benefit, with the right of appeal to the (independent) Supreme Court.

While the provisions in the Order covering the composition of the Legislature are familiar enough, one aspect introduced an element of doubt and speculation. It was the paragraph which stipulates merely the number—twelve—in the Council of Ministers, without specifying their ratios beyond four public servants. There is no "carry forward" of the racial ratio which, in the conference report was fixed at four African, three European and one Asian. Why this omission when the full account of elected seats, by type and number, was given? The practice was similar to that followed in the Lyttelton and Lennox-Boyd constitution-making. This might be a conclusive answer from the legal point of view, but was hardly satisfactory to a suspicious public in days when the political climate had so changed. (*East African Standard*, December 9.)

The Local Government Minister, Mr. W. Havelock, declared himself satisfied that there was "no jiggery pokery" in relation to the composition of the Council of Ministers. But Major B. P. Roberts, acting leader of the United Party since the death of Group Captain Briggs, said the omission to set the racial proportions was "typical of the Colonial Secretary and a gross breach of the promises he gave". It would place another blackmail weapon in African hands. The Bill of Rights would serve no purpose. It would be valueless after independence, particularly if Kenya became a republic. "The fact that it has not been agreed by the various races in Kenya, which we understood would happen, is a gross act of stupidity and makes it even more valueless," he said. The Order in Council relating to land would do nothing at all to restore confidence. It fully protected African land but did nothing to protect European land.

Asian reaction generally was that it was a pity that there had been no consultation before the Bill's publication, but it was otherwise welcomed.

Mr. Masinde Muliro, deputy leader of the Kenya African Democratic Union, said that Africans could not accept a Bill of Rights in an Order in Council and would draw up their own when they had responsible government. Mr. Tom Mboya, secretary-general of the K.A.N.U., said that, while Africans were not opposed to the Bill of Rights in itself, they felt that this one should not have been introduced in such a fashion, as Lancaster House had not "finalized" discussions on such a Bill. There had been no all-party discussions before publication, as in the cases of Nigeria and Cyprus.

The other two European groups—the New Kenya Party and the Kenya Coalition—were similarly critical of the failure to specify the racial composition of the Council of Ministers. (*The Times*, December 9.)

The *Kenya Weekly News* (December 23) commented that to the historian the Bill of Rights "is little better than a form of Highway Code for the future. No Highway Code has yet bound the self-seeking driver or the man determined to drive his fellow into the ditch. To the ordinary man, and in particular to the farmer or planter who feels his property threatened, the Bill in its present form provides little grounds for confidence." It concludes: "There are many who will, with some justification, query the value of any paper guarantees in Africa. It would be foolish, on the other hand, to dismiss these guarantees as being useless from their inception, particularly if they are backed by Britain and have the support of the free world. At worst they can do no harm; at best they can provide a guide and criterion for good government."

## Education

### Racial Integration

On November 25 it was announced that children of other races would be admitted into Kenya's European secondary and grammar schools in January 1962. The heads of some of the schools involved welcomed the

move and said that it would benefit all races. There were no reports of dissension among parents such as greeted the first step towards integration recently when a private girls' school announced that it would accept girls of other races.<sup>1</sup>

Welcoming the decision, the Archbishop of East Africa said that he had hoped that Non-European children would be accepted into the sixth forms of European schools in 1961. The schools' answer was that the board of governors of the schools, which announced the change of policy, were set up only a few months ago and they do not assume legal authority for the schools until April. Admissions could only be accepted for the next school year which starts in January 1962.

Children of other races who apply for admission to European schools must be from "a home background which sociologically enables a pupil to acquire full benefit from a British form of education". They would also be required to pay full fees (and very few of these schools offer scholarships), and they must have attained the same educational standard as European boys and girls at a comparable age. (*Guardian*, November 26.)

The *East African Standard* (November 25) stated that there had been "much heart searching and wary discussion before the final decision was announced; but it will almost certainly be accepted without the acrimony and heat which could have been expected only a year ago, so much has the country changed since the Lancaster House Conference. Any critic should be faced squarely with the question: What is the alternative?"

"Does anybody suppose mono-racial schools will be allowed for very long under an African-dominated legislature with the probability of an African Minister for Education presently? To face reality, this is only the first step towards opening schools of the future to children of all races, providing they can pass the examinations, on a broader and competitive scale. Those parents who cling to the mono-racial concept for ever must be convinced they can accept the economic liability, for they cannot expect the Government's financial support.

"Every school affected by this policy statement will be jealous in its standards, but great good can come from passing on the ideas and ideals of Alma Mater to children of all races. The willing co-operation of parents, teaching staffs and the pupils themselves is required for the change to work smoothly and early entrants made to feel comfortable in their new surroundings."

### Multi-Racial College

It was announced that about sixty students of all races are to begin courses in 1961 at the Strathmore College of Arts and Science which is being built on the outskirts of Nairobi. The College has been founded by a Roman Catholic institution, the Opus Dei, but students of any faith can enrol. (*Kenya Newsletter*, December 6.)

### University College

The Royal Technical College in Nairobi is to become a university college. It will be in special relationship with the University of London for its degree courses, which will start in 1961 and 1962. Two other faculties are being created which will not teach for degrees: one offers a course in art and architecture, and the other a group of subjects bracketed under the title "special professional studies".

This last faculty will make the college syllabus unusual among British universities and overlap the ground normally covered by a polytechnic. The course in professional studies will, for instance, include accountancy, business administration, and domestic science teaching. But the creation of this faculty is in line with the recommendations of the working party, which wrote:

"We feel that the only practical method of combining the full promotion of technological and professional studies with the initiation of a university college is to adopt the bold plan of transforming the Royal Technical College into a college which will provide not only courses of training in technological and other professional subjects to the highest professional standards, but also courses leading to university degrees."

The target for the college is to advance from its present numbers of 300 men and fifty women students to a population of 800 within five years. The cost of achieving that figure is substantial: £18 million will be

<sup>1</sup>DIGEST VIII, 3.

needed in capital outlay on buildings and equipment and recurrent expenditure will rise to £500,000 a year. (*Guardian*, November 14.)

## Jomo Kenyatta

The *Daily Telegraph* (November 23) reported that a definite decision had been taken to free Jomo Kenyatta, and that both the Governor and the Colonial Secretary had agreed to the political expediency of his release. The question now under consideration was its timing.

The Colonial Office issued a denial and in Kenya the Minister for Legal Affairs, Mr. Griffith-Jones, said the position remained as in May 1960,<sup>1</sup> when the Governor stated that Kenyatta's release would not assist peaceful development, and would not take place while he remained a threat to security. The Minister said that Kenyatta's case remained under constant review. (*The Times*, November 24.)

On November 29, the Kenya Government announced a ban on the importation into Kenya of medals, badges, brooches and other emblems bearing the likeness and name of Jomo Kenyatta. A statement said it had been discovered that an eastern European country was sending to the colony a large number of medallions bearing Kenyatta's picture. It added: "The Government is not prepared to allow this interference in the internal political affairs of Kenya." (*The Times*, November 30.)

Two of the Lodwar detainees, Mr. F. Kubai and Mr. Kungu Karumba, were moved from Lodwar to Kabarnet as part of a programme which will lead to their full release. The climate at Kabarnet is less hot and dry than at Lodwar, of which Mr. Kubai said: "It is not good for anyone." He said that Kenyatta was suffering from "heart pressure". Mr. Kubai continued: "If I am released I am certainly going in for politics, and if Jomo gets out he, too, intends to resume his political career." (*The Times*, December 8.)

It was announced that a delegation would visit London early in 1961 to ask Mr. Macleod for Jomo Kenyatta's immediate release. Two senior chiefs, Chief Muhoya of Nyeri and Chief Njiiri of Fort Hall, who were leading members of the Kikuyu Home Guard, gave their approval to Kenyatta's release in December. It was hoped that these two senior chiefs would join the London delegation, but because of their age and the fact that they do not speak English the idea was abandoned. (*Guardian*, December 30.)

In a cable, Mr. Macleod informed Mr. James Gichuru that he would not receive the proposed deputation. He pointed out that any decision on the lifting of the present restrictions on Jomo Kenyatta was a matter for the Governor of Kenya, Sir Patrick Renison, to deal with. (*Guardian*, January 2.)

On January 4 it was reported that Mr. Nehru, India's Prime Minister, had agreed to raise the subject of Jomo Kenyatta's release at the Commonwealth Prime Ministers' Conference in March. (*The Times*, January 6.)

Despite Mr. Macleod's cable a K.A.N.U. delegation consisting of Mr. James Gichuru, Dr. Njoroge Mungai and Mr. Chokwe arrived in London on January 9. On January 10 they met Sir Patrick Renison, and after the discussion, the Kenya Public Relations Office issued a statement which said that the delegation had brought new evidence of what they thought to be the feeling of the people of Kenya in support of the release of Mr. Jomo Kenyatta, and particularly had mentioned a meeting at Nyeri which took place after the Governor had left Kenya in December at which representatives of the Church, loyalists and chiefs were present. The delegation also showed the Governor telegrams of support signed by the Kenya Indian Congress, the East African Goan League and the Kenya Freedom Party. (*East Africa and Rhodesia*, January 12.)

On his return to Kenya Sir Patrick Renison parried questions about Kenyatta, but he stated that under the Lancaster House constitution, it would be impossible for anyone who had been in prison for longer than two years to be elected to the legislature. (*The Times*, January 14.)

Mr. Gichuru returned to Nairobi on January 15. He expressed confidence that a decision on the exiled Mau Mau leader's future would be given that week, when the nationalist leaders would again see the Governor, Sir Patrick Renison. Mr. Gichuru said that because Sir Patrick had seen the Colonial Secretary after receiving the delegation, he would not have to refer the matter to London. Speaking later to a meeting of some 10,000 Africans in Nairobi, he claimed that the decision to release Ken-

<sup>1</sup>DIGEST VII, 6.

yatta had already been taken by Mr. Macmillan. "It is not a matter for the Governor but for the British Government," he declared. (*The Times*, January 16.)

## Land Controversy

Clyde Sanger writing in the *Guardian* (November 11) gave an account of the annual conference of the Kenya National Farmers Union. He stated that those who have feared that the European farmers were determined to make a last-ditch stand against inevitable changes and so embitter race relations greatly, could not fail to be heartened by the mood of the delegates. The weakness of the last ditchers was shown when Dr. Roger Bowles, of Nakuru, moved that the conference should oppose the Government's plan for introducing African peasant farming into the former highlands. Not a single farmer spoke in his support and only three voted with him in the division.

The conference, however, tempered its enthusiasm for accepting African smallholders with another resolution which asked that the peasant settlement scheme should be carried out only "in areas adjacent to the African land units". This was passed unanimously, although a Government official said that no such assurance could be given, though there were many administrative reasons why only fringe areas would be affected.

Mr. S. L. Whetham suggested that African farmers should be accepted as pupils on European farms before taking over their new holdings rather than be sent to Government training colleges where they learned, he thought, more ideals than practice. He also urged African farmers to join the K.N.F.U. "Unity is strength and farmers must speak with one voice—I couldn't care less about the colour of their skins so long as they do that."

Mr. J. H. Gaya, general secretary of the Kenya African National Traders' and Farmers' Union, said that until now Africans had been suspicious of joining a European-run organization. He still thought it best, "at least at this stage", that development of farmers' unions should be racially separate, but he suggested monthly meetings between the unions to co-ordinate policies. (*Guardian*, November 11.)

In little more than two hours the Agriculture (Amendment) Bill was given a second reading in the Legislative Council. Most people had expected bitter criticism of the Bill's proposals to open up the White Highlands to Non-Europeans. Instead, the European constituency benches were nearly empty, only three Asian members were present, and only one African member put in a brief appearance. Two members, Major B. P. Roberts and Mr. J. R. Maxwell, both members of the United Party, hinted at the strong opposition directed at the Bill when it was first mentioned a few months ago, but Major Roberts supported the Bill, "because there is nothing else to be done".

Several speakers followed the lead of Mr. Michael Blundell in emphasizing the need for speed in carrying out land purchase and settlement schemes, and several also expressed some concern at the Government's powers of compulsory acquisition. Mr. Bruce McKenzie, the Minister for Agriculture, said these powers were so hedged about with safeguards that it would be impossible to abuse them. (*The Times*, November 17.)

In a special statement to the House of Commons on December 20, the Colonial Secretary, Mr. Iain Macleod, reinforced the Government's determination that security of land tenure should be enforced in Kenya both before and after independence. "Security of title to land is an essential prerequisite to confidence and to renewed investment and the full use and settlement of the land."

It was not, Mr. Macleod pointed out, a problem confined to one race only nor only to agricultural titles, but unless new African farmers under settlement schemes were assured of continuity and security of title it was unlikely that any would take up land offered by the Settlement Board. Already as a result of land consolidation under the Swynnerton Plan there were more than 145,000 African farmers with registered titles. Outside the coast area there were over 11,000 agricultural titles held mostly by Non-Africans and over 17,000 residential commercial and industrial titles spread among all races. At the coast registered titles exceeded 16,000. All these must be fully secure.

The results of the Government's study of methods of maintaining such security had been included in the new Constitution, and would also be

taken into account in any further discussions on constitutional advance, "since the continued protection of fundamental rights including rights in property will inevitably be an essential part of those discussions".

In reply to Mr. Callaghan, the Labour spokesman on Colonial affairs, Mr. Macleod explained some of the measures which were already being taken to this end. Orders in Council now contained entrenched provisions against compulsory acquisition except for the ordinary public purposes and making it a requirement that there should be payment of full compensation which could be assessed by the courts. Secondly, the Government would insist at the appropriate time on provisions in independence legislation taking care of the principles indicated in his statement. (*Guardian*, December 21.)

In some editorial notes, *East Africa and Rhodesia* (December 29) commented that Mr. Macleod's statement was unsatisfactory. "There are to be no real safeguards—merely paper provisions which an African-dominated Government may treat with the contumely towards constitutional provisions which Nkrumah has shown in Ghana. . . . It is fantastic for politicians in Great Britain to assume that confidence can be re-created in Kenya by a declaration, however solemn, against arbitrary action by a future Government in that country, especially as the present Government in the United Kingdom is rushing to place power in the hands of headstrong and ruthless African extremists."

Sir Ferdinand Cavendish-Bentinck, leader of the Kenya Coalition Party, described the Colonial Secretary's statement as "a platitudinous disappointment". He added that the British Government "appears more concerned with security of title for the new African peasant and yeoman farmers than with its moral obligation". (*East Africa and Rhodesia*, December 29.)

Mr. R. Ngala said that the statement went beyond the discussions at Lancaster House and that he did not regard it as binding. Mr. T. J. Mboya, the general secretary of K.A.N.U., said that the statement was "not part of our understanding of the Lancaster House Constitution and we will not be a party to what the Government is now doing".

The *Kenya Weekly News* was also critical of the statement and of Mr. Macleod's policy generally. It concluded: "Unless Mr. Macleod soon thinks again, he will have on his hands and mind, a distressful Colony. Men in the grip of an economic depression and unemployment are seldom rational or easy to deal with. It would be cheaper and easier for Her Majesty's Government to act now than to wait until the state of Kenya slides, as the state of Congo has slid, virtually beyond repair. It need not be. It is better prevented now than remedied later." (*Kenya Weekly News*, December 30.)

A Government Report on unalienated Crown land and undeveloped or underdeveloped land in other areas stated that out of a total of 3,661 registered farms in Kenya's Scheduled Areas—at present occupied by European farmers—only twenty-three are undeveloped and seventy-eight underdeveloped. These farms, plantations and ranches cover a total area of about 7,280,000 acres. Undeveloped farms cover 23,936 acres and underdeveloped farms, 193,708 acres. Practically all the undeveloped land would be uneconomic, under present circumstances, to develop.

The Report continued that much of the 136,410 acres of underdeveloped land in the Rift Valley and North Kenya areas was, in fact, potential pastoral land but lacking in water. Of 38,831 unalienated acres in the so-called Scheduled (European) Areas, only 200 acres were considered suitable for agriculture, while 24,718 acres were considered suitable for grazing.

Out of a total of 11,772,160 acres of land still unalienated in the African Land Units, only 131,840 acres were suitable for agriculture. Many of them were already cultivated by squatters. The unalienated land was not considered suitable for agricultural settlement schemes, except for some small areas at the coast, where investigations were in progress. Most of the large areas were suitable for grazing only and, even in these areas, lack of water made them usable only seasonally.

In African populated areas the report showed sixteen districts as containing land which "could be more extensively as well as intensively farmed". About 700 square miles of good mixed farming land, which was seriously under-used was available in the Mau area of Narok District, in the higher altitude part of Masailand.

Giving details of sixteen African settlement schemes in Kenya, the Report showed that about 17,000 families had now been resettled and there was still room for a further 17,000. Only six of the schemes were full up. Here, the Report stated, there were tribal objections to the settlement of people from other tribes. Some tribes showed reluctance to move from their own areas. The Government's plans to settle Africans on farms purchased in the Highlands would provide a useful outlet for people from the more densely-populated districts, stated the Report. At the same time there was wide scope for further agricultural settlement in extensions to some of the schemes. (*Kenya Newsletter*, January 3.)

## Somali Republic

### Border Incident

ETHIOPIAN authorities reported on January 2 that heavy and bloody battles were waged continuously for four days just before the New Year between Somali tribesmen from the Somali Republic and Ethiopian border forces in the Ogaden-Damot area.

A spokesman said that after a fierce pitched battle on December 29 the invading Somalis were forced to retreat back across the Somali Republic frontier. Smaller border incidents are said to have preceded the big battle. The Ethiopians also accuse Somalis from the Somali Republic of raiding the villages of Ethiopian Somalis and killing men, women and children. The Ethiopian Government has sent a strong protest to the Government of the Somali Republic.

On January 2 crowds demonstrated against Ethiopia and the United States in Mogadishu, the capital of the Somali Republic. Popular opinion blamed the United States for giving military aid to Ethiopia. Demonstrators surrounded the embassies to shout denunciations. Political parties and labour unions were planning big demonstrations for January 3.

An official Somali Republic spokesman said that 100 Somali tribesmen and twenty Ethiopian troops were killed and many tribesmen wounded in the clashes. Unofficial reports put the number of Somali dead at 180 men, women and children. Some of the casualties were reported to have been inflicted in strafing attacks by Ethiopian aircraft and several Somali villages were said to have been burnt.

Officials said tribesmen had clashed with the Ethiopian troops over the past few weeks because the soldiers were using up the area's reserves of water and food supplies since they were cut off from their own regular supplies after the attempted coup in Addis Ababa. It was generally believed that the Ethiopian troops tried to confiscate part of the tribesmen's herds.

Mounted tribesmen engaged the Ethiopians in a battle in the Damot region. The Ethiopians called for reinforcements, and an Ethiopian battalion, with armoured cars and field guns, and eight Ethiopian aircraft, were then reported to have attacked the Somalis. (*The Times*, January 3.)

## Soudan

### Surface Calm

A *Times* editorial (December 8) stated that in the previous week "a group of political leaders in Soudan sent a memorandum to the President, General Abboud, asking for elections and a return to 'national freedoms'. The official answer to this memorandum seems to be to ignore it, but Cairo has published a counterblast said to be sent by 'Soudanese personages, including lawyers, engineers, teachers, and workers', which calls the authors of the first document 'reactionaries, foremost among those responsible for vitiating political life in the past'. Whereas the first memorandum called on the Army to step down from power, the second demands that it should be allowed to continue its 'revolutionary national responsibility'.

"The military have been in control in Soudan for two years. Their declared object when they took over was 'to seek peace and stability, and to end corruption and chaos', and certainly there has been a surface calm which not even a series of abortive risings within the Army has seriously



ruffled. The régime has much to its credit. It has balanced the budget and pressed ahead with economic development. It has made a sensible agreement with the United Arab Republic, and the recent visit of President Nasser was an occasion for the display of new good-neighbourly relations. All this has not prevented a good deal of restlessness below the surface. Recently there was rioting in Khartoum and other towns, touched off by the resettlement of those in and south of Wadi Halfa who are to lose their homes when the High Dam at Aswan is built. They are to be given new land on the Atbara River, which is not the area most of them preferred. No doubt their discontent was partly due to misunderstandings, and troublemakers fanned it, but not all of those involved were irresponsible, and their criticisms were not confined to the resettlement problem.

"General Abboud is in a difficult position. His ideal is calm and order. Yet he is attacked on two sides. First, by those, including younger officers, who feel that calm is the wrong ideal. What Sudan needs, they believe, is something much more dynamic, and they are frustrated at seeing slip by what appears to them a wonderful opportunity for inspired leadership. Secondly, there are those—naturally including former politicians—who remember that the military régime has promised to hand power back at a suitable time to suitable people. The two groups sometimes overlap. Both feel that the constitutional advances talked of or hinted at are inadequate.

"The President's problem is shared in some degree by all military leaders who have assumed power. The wish to make their rule short is usually genuine—though a taste for power for its own sake may develop. Yet when can they honestly say that their task has been completed? In Egypt the young officers first talked of a transitional period before parliamentary government could come back. That is now forgotten, and they have created their own instruments of control, including a monopolistic political organ, the National Union. In Turkey the clash between the two schools of thought has just come into the open, and the advocates of prolonging military rule have been defeated. Pakistan is taking a third course, trying through 'basic democracy' to find a new middle road between strict Army control and discredited parliamentarianism. Sudan has still to find its answer."

## Tanganyika

### Civil Service

IN a debate in the Legislative Council on the British Government White Paper, detailing the help to be given by United Kingdom taxpayers to Colonial and emergent territories employing British officials, Mr. Nyerere said: "After the day, now so rapidly approaching, of full internal self-government, numbers of expatriate officers will leave us on payment of compensation, but numbers of them, it is our most earnest hope, will wish to stay. They will not be in quite the same position as in the past; they will naturally be more in the background than they were in former days when we had a Civil Service Government; but as advisers, executives, and experts we shall need to keep every man we can if we are to ensure that the machinery of the Government does not come to a halt.

"If we lose too many of our expatriate officers in a short space of time, my colleagues and I can assure the House that the children of this country will go without the education they need, because we shall lack the teachers to run our schools. We may have to go without water supplies in the towns and rural areas, because we shall not have engineers to supervise the construction of pipes and gas. Our people may have to do without jobs because capital investment gets scared away when there is no steady administration.

"In short, the services that we now get from the Government may well break down. It is clear therefore that we need expatriates." (*East Africa and Rhodesia*, December 22.)

### Integrated Education

Replying to a debate on education in the Tanganyika Legislative Council, Mr. Nyerere, the Chief Minister, stated that evolution rather than revolution was the path Government must take. The Government would

not undertake what was unnecessary just to satisfy "the irresponsibles". They would not force integration. "There are certain countries—very big countries—where this revolution has not taken place, where it is necessary for the Government sometimes to threaten the use of armed force to carry out integration. I think Hon. Members are not suggesting that we should use the police and the K.A.R. merely for the purpose of proving that we are a very revolutionary people," said the Chief Minister.

He continued that the Government really had no alternative but to integrate slowly, whatever the politicians said. There were neither sufficient schools, nor sufficient funds to integrate schools overnight and if the Non-Native education tax was to be abolished, and subsidies given to African parents of integrated children the country would be faced with a major financial problem. Ability to pay was practically nil so far as individual Africans were concerned, and it seemed only a nation-wide levy, possibly as an addition to poll tax, would produce the necessary money. The pace of integration was tied to finance available, and there was not even the money available to complete the St. Michael's and St. George's School girls' section. With integration accepted in principle by all races in Tanganyika there was no need for further political argument on the subject. It was a problem of straight economics now. (*Kenya Weekly News*, December 16.)

### Constitutional Conference

On December 30 the Colonial Office announced that the Tanganyika constitutional conference which was to have taken place in London in March will be held in Dar-es-Salaam.

The announcement said the decision had been taken after consultations between Mr. Iain Macleod and Sir Richard Turnbull, the Governor, "and with the full agreement of the Chief Minister, Mr. Julius Nyerere". (*Daily Graphic*, December 31.)

### Bishop of Masasi

On November 30, the Rev. Trevor Huddleston, C.R., was consecrated Bishop of the southern Tanganyika diocese of Masasi. The service was held in St. Nicholas Church, Dar-es-Salaam, because of an outbreak of cerebro-spinal meningitis in the Masasi diocese. It was conducted by the newly appointed Archbishop of East Africa, the Most Rev. Leonard Beecher, with five East African bishops.

Among the thirty other clergy who took part was the Rev. Leo Rakale, from Johannesburg, who worked with Father Huddleston when he was at Sophiatown. In the congregation, which was predominantly African, were the Governor of Tanganyika, Sir Richard Turnbull, and Lady Turnbull; the Deputy Governor, Mr. John Fletcher-Cooke; the Chief Minister, Mr. Julius Nyerere, and several other Ministers. (*The Times*, December 1.)

## Uganda

### Buganda's Future

THE Governor of Uganda has given the Kabaka the Queen's reply to the memorandum addressed to her by the Buganda Lukiko early in October. This reply rejected the Lukiko's plan for termination of British Protection over Buganda and for declaration of an independent Buganda State on January 1, 1961. In it, Mr. Macleod stated that the plan put forward in the memorandum could work only to the disadvantage of the whole territory, and particularly to Buganda's disadvantage. Therefore, he felt bound to advise Her Majesty not to consent to the proposals in the memorandum, and Her Majesty had accepted this advice.

In his advice to the Queen, Mr. Macleod explained that Her Majesty's Government could not agree to secession from Uganda of any part of the Protectorate so long as Britain was the protecting power. He went on to say in his letter that it was hard for Buganda's friends to understand why she should take the desperate course of seeking to cut herself off, from other parts of the country and from British Protection, before availing herself of the opportunity he had been at pains to provide through the Relationships Commission to put forward her views on her future relations with the rest of Uganda. The latter course offers, in his view, far better prospects of

Buganda eventually achieving a satisfactory relationship with the rest of Uganda.

The Secretary of State said he understood and sympathized with the anxieties felt by the Kabaka and his advisers. He recognized also the obligations laid upon Her Majesty's Government by the agreements to safeguard the special position of Buganda and the status and dignity of the Kabaka. He therefore repeated his assurance that neither the elections in 1961 nor the constitutional arrangements which are to come into force after them would affect Buganda's position in any way. He added that until Uganda as a whole becomes independent, or until the Agreements come to an end for some other reason, Buganda would keep its present powers under these Agreements.

The Secretary of State said that both he and the Kabaka recognized that British rule in Uganda cannot and should not continue indefinitely. Therefore, he believed it could not be many years before the rulers and peoples of the various parts of the country must decide for themselves how closely and in what way they wish to be linked together. Mr. Macleod stressed that it is Her Majesty's Government's object to help the rulers and people of Uganda to reach the right decision.

He proposed that this help should be given in three ways. The first way was through the Relationships Commission. This will consist of recognized experts who will study and advise on Uganda's problems, but will have no power to take decisions. Great care was being taken to ensure that its members were aware of Buganda's special position and problem, and the Secretary of State said: "It is to this body that I would now invite Your Highness's Government to submit its representations."

The second form of help would be the creation, as the result of the coming elections, of a new Legislature composed almost entirely of Africans. This new Legislature would have no power to change the Constitution or to interfere with Buganda's rights. It would, however, give an opportunity to representatives from all over Uganda to obtain some experience of government and to discuss and understand each other's problems in a friendly way.

The third form of help would be through the holding of a constitutional conference at which the Kabaka's Government, as well as the Protectorate Government and all other authorities in Uganda would be represented. This conference, with the Report of the Relationships Commission to help it, would have the task of working out a form of government acceptable to all the people.

He continued: "Buganda still has the opportunity to use this period (until Uganda is independent) of continued security to negotiate with Her Majesty's Government a satisfactory future relationship with the other parts of the country, designed to preserve the Kabakaship and the Lukiko intact and confirm them in the exercise of their powers. But if this opportunity is deliberately thrown away—as it would be if Buganda were to seek to overthrow the Agreements in a mood of impatience at this stage—I do not believe there would be another opportunity."

The Secretary of State's letter ends: "I therefore call upon Your Highness to join with me and with His Excellency the Governor in an urgent effort to restore co-operation and goodwill between us before it is too late." (*Uganda News*, December 9.)

On December 17 the Kabaka replied to Mr. Macleod stating that he was pleased to endorse his appreciation of the offer of resumption of discussions between Her Majesty's Government and representatives of the Lukiko. He enclosed the text of a Lukiko resolution which said *inter alia* "... the Lukiko agrees to reopen negotiations immediately with Her Majesty's Government concerning Buganda's sovereignty and such negotiations to be based on the Lukiko's memorandum referred to above before December 31, 1960."

Mr. Macleod's reply, on December 29, did not acknowledge the deadline of December 31. It read: "I note with gratification the obvious desire of Your Highness and of the Lukiko to proceed by way of negotiation. As, of course, my letter makes clear, discussions, which could not in any event be held immediately, would not be held on the basis of the Lukiko memorandum of October 8. But I have been looking at the matter again, in light of the Lukiko reply and Your Highness's comments, and I propose to consult the Governor when he comes to London early in January to discuss other matters, and to consider with him the possibility of reopening

discussions, their timing and the manner in which they should be held.

"Such talks would have to be concerned with matters which affect only Buganda and which could properly be determined without conflicting with the later conference. I have been very glad to learn that Your Highness and Your Highness's Ministers have had cordial discussions with Lord Munster and propose to see the Relationships Commission when it arrives in January, and I am sure that this constructive approach augurs well for the future." (*East Africa and Rhodesia*, January 5.)

Patrick Keatley in the *Guardian* commented that the letter was "a little masterpiece of diplomatic blindness". The whole temper of this courteously worded letter was designed to take the steam out of the present crisis and put things back into the framework of ordinary negotiation. (*Guardian*, December 30.)

On December 28 the 5th Battalion The King's African Rifles was flown from Kenya to Jinja to reinforce the battalion already there. On December 30 the Protectorate Government banned all unauthorized meetings of more than twenty-five people. On the same day a debate was held in the Lukiko. Most speakers expressed dissatisfaction with Mr. Macleod's reply and after three hours of debate the Speaker announced an adjournment until the next day. The debate was resumed on December 31 and it ended in a vote of seventy-nine to eight, with one abstention, in favour of an immediate declaration of independence. The abstainer was Mr. Abu Mayanja, Minister of Education. Other Ministers who had spoken against secession nevertheless voted in favour.

The text of the resolution was as follows:

"In the name of God and the nation of Buganda, the Lukiko, which has met today, December 31, 1960, has declared that from this day . . . Buganda has terminated the protection which has existed between Her Majesty the Queen and the Kingdom of Buganda based on the treaty of 1894 and all consequent agreements, whether it is derived from any enactment or document made by Britain alone without the consent of both sides.

"Buganda asked for British protection, and it is only Buganda which must end that protection. Therefore the Lukiko declares that from today Buganda is independent. From this declaration Her Majesty the Queen will hand over to the Kingdom of Buganda all her possessions which she has been protecting. The Lukiko appeals to all people in the Kingdom of Buganda to keep the laws and the peace." (*East Africa and Rhodesia*, January 5.)

On January 1, Sir Frederick Crawford, the Governor of Uganda, told Ministers of the Kabaka of Buganda that he would not be able to approve the terms of a resolution declaring Buganda's independence from the British Protectorate of Uganda. At the same time, the Ministers indicated that the present basis of relations with the Protectorate Government would stay unchanged pending further talks.

Under the 1955 Buganda agreement, no resolution of the Lukiko is valid unless it is approved by the Governor. But the Kabaka's Government spokesman said that the Lukiko no longer recognized the 1955 agreement and consequently was not submitting its resolutions to the Governor for approval.

An official statement issued after Sir Frederick's meeting at Government House with five of the six Buganda Ministers, said that it was agreed that the Governor would await an official text of the resolution before he made a formal reply. Sir Frederick called the Ministers to see him before his departure by air for talks in London with the Colonial Secretary. (*Guardian*, January 2.)

On his arrival in London Sir Frederick Crawford said the situation in Buganda was calm, and called the independence resolution by the Lukiko a bargaining move. "I think the Lukiko just want to get themselves in a better bargaining position before further constitutional talks are resumed. The Baganda are an orderly and common-sense people, not prone to violence. I would like to emphasize that the Kabaka has, all the time, preached counsels of moderation." It would be extremely difficult, the Governor said, for the Baganda to implement independence in any way. He did not think that the more militant members of the Lukiko would try to do so.

Referring to the battalion of the King's African Rifles which has been moved to the Buganda border, he said: "We didn't want to be caught with



our pants down. But no troops have entered Buganda, and, provided that the situation remains peaceful, the troops will, of course, be withdrawn."

In a report from Kampala a *Times* Special Correspondent stated that Buganda was not expected to make any immediate move to implement the Lukiko's declaration of independence. It was learnt that at the Governor's meeting with the Kabaka's Cabinet the Ministers expressed a wish for further talks with the British Government in which they would take part as representatives of "an independent Government". The Prime Minister, Mr. Kintu, denied a report in one of the vernacular newspapers that he was ordered by the Governor to resign.

There is reason to believe however that some of the younger Baganda politicians are ready to use the independence issue to force Mr. Kintu's resignation if his Government does not seek actively to implement the Lukiko's declaration. Their eventual aim in that case would be to secure a new and democratically elected Lukiko in place of the present Assembly which is dominated by the Kabaka's nominees and those of the traditional chiefs. (*The Times*, January 3.)

On January 11, a formal reply from the Governor vetoing the Buganda Lukiko's recent declaration of independence was handed to the Kabaka's Ministers. The reply stated that the Governor was unable to accept the Lukiko's resolution incorporating the declaration. (*Guardian*, January 12.)

The Buganda Lukiko then approved by forty-four votes to thirty-four the report of its Independence Committee. Adoption was supported by all the Ministers and chiefs in the Lukiko. Moving the adoption the Minister of Health and Works, Mr. A. S. Lubwama, proposed that the recommendations should be remitted to a new committee to negotiate the details with Britain. Speakers who supported him agreed that Buganda's declaration of independence could not be fully implemented without further negotiation with Britain. It was agreed that parts of the report capable of implementation without negotiation with Britain should be implemented as soon as possible and a five-man committee headed by the Katikiro, Mr. Kintu, was appointed to undertake negotiations on the remaining provisions.

The report estimated that the revenue from Buganda going straight to the Uganda treasury amounted to £9 million, but local taxes, including income tax paid by Non-Africans, would raise it to £13½ million a year, which the committee considered sufficient to support Buganda. It also recommended the election of two new Ministers. (*The Times*, January 14.)

On January 15, members of the Lukiko assembled to elect the new Ministers. They were told that the election could not take place because the Kabaka had not yet approved the report of the Lukiko's independence committee recommending the election of the new Ministers. The speaker, Mr. E. M. Kalule, also said that Lukiko members had had no opportunity to ascertain the wishes of their constituents with regard to candidates. Mr. Kalule adjourned the Lukiko, saying that he would reconvene it when the Kabaka's approval for the committee's report had been obtained. (*The Times*, January 16.)

### Relationships Commission<sup>1</sup>

The Secretary of State for the Colonies announced that the Right Honourable the Earl of Munster, K.B.E., had accepted an invitation to be chairman of the Relationships Commission. The Earl of Munster has a wide experience of government in many Ministries. He was Paymaster-General from 1938-39, and afterwards Parliamentary Under-Secretary of State for War. From 1943-44 he was Parliamentary Under-Secretary of State at the Home Office. There followed three years as Under-Secretary of State, Colonial Office, and he was then Minister Without Portfolio, 1954-57. (*Uganda News*, November 28.)

Mr. C. Powell-Cotton, provincial commissioner, Northern Province, was appointed secretary to the Relationships Commission. A protectorate government spokesman stated that the appointment of so senior an officer indicated the importance which the Government attached to the Commission. (*The Times*, December 3.)

Mr. Macleod also announced the appointments of Dr. A. H. Marshall, City Treasurer, Coventry, and Dr. H. W. R. Wade, Reader in English Law, at Cambridge. (*The Times*, December 9.)

<sup>1</sup>DIGEST VIII, 2 and 3.

The Earl of Munster visited Uganda during December and prior to his departure he stated that he would not be recommending to the Secretary of State for the Colonies that the elections, scheduled for March, should be postponed. (*Uganda News*, December 20.)

### The Next Election<sup>1</sup>

The Supervisor of Elections has announced that the total number of those who had registered in Buganda, including the Kampala Municipality, was 35,288. He said that the total was disappointing in view of the numbers who were eligible to register, but the figures certainly did not represent all those who would have liked to have registered; large numbers were undoubtedly prevented by fear from registering and by the instructions they had received from others that they must not exercise the legal right they possessed to register. (*Uganda News*, November 21.)

The Judicial Committee of the Privy Council has dismissed an appeal by the Katikiro of Buganda from a judgement and order of the Court of Appeal for Eastern Africa.

He had claimed declarations that (1) the Legislative Council of the Uganda Protectorate as at present constituted is not the Legislative Council referred to in the Second Schedule to the Buganda Agreement, 1955; (2) that the Katikiro is not bound or entitled to take the steps laid down in the Schedule for the purpose of electing representative members to represent Buganda in the Legislative Council of Uganda as at present constituted; and (3) that unless and until the Legislative Council is reconstituted so as to be the same as such Legislative Council there is no procedure for electing representative members.

Mr. Phineas Quass, Q.C., appeared for the appellant and had based his claim to the three declarations upon the following contentions: (1) Between October 18, 1955 (the date of the Buganda Agreement) and June 25, 1958, when the plaint was issued, certain changes were made in the constitution of the Legislative Council. Those changes were so fundamental that the Council bearing that name on June 25, 1958, ought to be regarded as a different body from the Council bearing that name on October 18, 1955. Therefore the appellant was not bound to take any steps laid down for the purpose of electing Representative Members. Alternatively, (2) Having regard to the events leading up to the Buganda Agreement of 1955, and in particular to the matters set out in a White Paper (Cmd. 9320) presented by the Secretary of State for the Colonies to Parliament by command of Her Majesty in November, 1954, the Second Schedule to the Buganda Agreement should be construed as coming into existence on the basis that there would be no major changes in the constitution of the Council prior to the year 1961. The changes already mentioned were major changes. Accordingly the basis for the Second Schedule was gone, and the appellant was no longer bound to it.

Lord Morton of Henryton, giving the advice of the Board, said that their Lordships had found it quite impossible to regard the constitutional changes referred to in the first contention as being "fundamental" in any ordinary sense of the word. Still less could they regard the changes as amounting to the substitution of a new body for the Legislative Council as it existed before the changes came into force. Mr. Quass's first contention failed.

Turning to counsel's second contention, it was to be observed that if the changes in question could not properly be described as "major" changes in the constitution of the Council that contention also must fail. Viewing those changes, in the light of the constitutional history of Uganda, and contrasting them with the important changes made from time to time, between 1920 and 1957, in the constitution of the Council, their Lordships thought it would be a misuse of words to apply the word "major" to changes which had so little effect on the conduct of affairs in the Council and on the voting and no effect at all on the legislative powers of the Crown, the Governor, and the Council.

The result was that it became unnecessary to consider the first two steps in Mr. Quass's second contention. Their Lordships would humbly advise Her Majesty that this appeal should be dismissed. (*The Times*, November 24.)

<sup>1</sup>DIGEST VIII, 3.

# Zanzibar

## Election Result

THE result in Zanzibar's first general election under the constitutional changes which provide for responsible government has given the Afro-Shirazi Party, led by Mr. Abeid Amani Karume, the narrowest possible victory—a single seat majority with the seat gained by a single vote. In a constituency on Pemba Island Mr. Khamis Masoud Khamis (Afro-Shirazi) polled 1,538 votes and Mr. Ahmad Abdulrahman Idarus (Nationalist) polled 1,537. On the first count there was a majority of two; this was reduced to one on a recount.

The election was for twenty-two out of the thirty seats in the new Legislative Council (the other eight are non-elected). The seats won were: Afro-Shirazi, ten; Zanzibar Nationalist Party, nine; Zanzibar and Pemba People's Party, three.

The Zanzibar Nationalist Party, led by Mr. Ali Muhsin Ali, submitted a petition to the High Court to have the Pemba constituency result declared void. The general official view of the election result was probably that expressed by an official who said: "This is the worst thing that could possibly have happened." It seemed clear that the Zanzibar and Pemba People's Party—a breakaway African group—had the whip hand. (*The Times*, January 19.)

## Party Policies

In an election manifesto the Zanzibar Nationalist Party said it was "contesting the election not as a mere party among parties, but rather as a mass liberation movement of the people dedicated to wrest power from the colonial régime for well defined and clear objectives. Unlike those minority groupings which may have been initiated, promoted or encouraged by the imperialist régime or may have stemmed from a desire for the self-aggrandisement of certain individuals the Zanzibar Nationalist Party is a spontaneous expression of the people who have through painful experience learnt that their only salvation from misery, squalor, oppression, ignorance, poverty and disease lay in national independence.

"It was this spontaneous expression which received form and impetus from conscientious and planned organization born of an ideology which was completely new in East, Central and South Africa, an ideology of non-racialism, an ideology which has resulted in the unbreakable unity of peasant, worker and intellectual, an ideology of human freedom and dignity, of social justice, of national patriotism as opposed to narrow tribalism and communalism, an ideology of political and social equality, and of the dignity of labour. This movement which started five years ago has now developed into a dynamic mass movement, comprising the overwhelming majority of the people of Zanzibar."

The manifesto stated that the Party had established "120 branches scattered throughout the length and breadth of the two islands; 120 schools, catering for over 8,000 pupils; 120 welfare centres looking after the sick and the needy".

It claimed that "victory in the forthcoming elections is a foregone conclusion. The Z.N.P. will not abuse the mentality of the electorate by culling hackneyed electioneering promises, which are no more than reformist clichés from decaying political concepts."

The election manifesto of the Zanzibar and Pemba People's Party stated that it would guarantee full human rights for every individual. The woman chairman of the Party, Bibi Pili Khamisi, stated that her Party wanted Zanzibar to co-operate in a federation of East and Central Africa after it had attained independence. The manifesto stated that investment from outside would be needed but as much money as possible should be sought from within the Island. The Party would recognize the principles of positive neutrality and would accept aid from the United Nations. It favoured Zanzibar being a member of the Commonwealth. Primary schools would be free and education compulsory for all children. Agriculture would be encouraged and surplus products exported. Industry would be introduced to process the Island's raw products and the tourist trade would be encouraged.

The Afro-Shirazi Party's manifesto is entitled "Abiding Service to Peace and Independence". It aims to work for complete independence and

for safeguards against any form of foreign interference or domination. Universal adult suffrage would be introduced immediately. Corruption and nepotism would be ceaselessly fought and Zanzibarization speeded up. The Party would try to provide universal primary education and to expand the facilities for secondary, post-secondary and adult education. New crops and modern agricultural techniques would be introduced. Animal husbandry and fishing would be developed and an intensive utilization of the land for rapid economic development would be initiated. (*East African Standard*, December 16.)

# SOUTHERN AFRICA

## High Commission Territories

### Economic Survey of Bechuanaland<sup>1</sup>

THE Protectorate has been receiving grants-in-aid from Britain only since 1956-7.<sup>2</sup> This aid was not given until, despite stringent economies, surplus balances built up during the war had been exhausted. There will be no general revenue balance in 1960, according to the financial estimates. The policy of postponing grants until the balances were spent has meant that the Territory has made "very slight progress". The standards of public service became relatively depressed, but it is encouraging that even the grant of less than £500,000 a year (an average) "has had the stimulating effect which may be seen in the Territory today".

In 1948-9 ordinary revenue was £501,344 and C.D. and W. spending was £65,563; total ordinary expenditure was £641,246. In 1959-60 (est.) ordinary revenue was £1,241,459. The United Kingdom grant was £650,000 and C.D. and W. spending £384,736; total ordinary expenditure was £2,276,195. This was the ordinary budget for an estimated population of about 350,000 which includes 3,950 Non-Africans of which 3,000 are Europeans. There are now thirteen Tribal Treasuries financed by taxes on Africans and grants from the Protectorate Government. The Treasuries existing in 1957-8 had a revenue of £171,000; the largest item of expenditure was education.

### Education and Finance

Since 1938 the full cost of African primary education in tribal areas has been met from Tribal Treasuries, and in non-tribal areas which have a treasury. In 1957-8 the proportion of recurrent expenditure on education averaged 32 per cent. The Mission states: "We are not aware of any British Colonial Territory where the same responsibility has been placed on local government." Budget surpluses are being reduced to maintain present standards and to allow expansion in education. "The disadvantage to local government of so extensive a single commitment needs no emphasis", but this has arisen because the chiefs and people, in the absence of substantial missionary activity, have shown a remarkable interest in education for fifty years. The assistance by grants, of the Government, has been strictly limited. This assistance is not adequate at present levels, but there is "much risk of degeneration if Tribal Treasuries are encouraged to provide services which they are in no position to undertake without Government subsidies for an indefinite period".

In 1958, 30,309 African children were enrolled at school. There were 12,548 males and 17,376 females in primary schools: 243 males and 142 females were receiving secondary education, of these twenty-nine males and three females were in the two highest classes, Standards X and XI. It is estimated that out of 60,000 children of primary school age 56 per cent are attending primary schools. Under the 1955-60 Development Programme the number of primary schools has increased from 150 to 169 and secondary from four to five. Primary enrolments have risen by 9,549 and secondary by 143. As well as tribal expenditure the Protectorate spends just over £4 per annum on each child. However "the number

<sup>1</sup>Basutoland, Bechuanaland and Swaziland: Report of an Economic Survey Mission. H.M.S.O., 1960.

<sup>2</sup>DIGEST VIII, 2.

completing more than a four-year primary course—continue, as in prior years, to be little more than a sixth of the total enrolment. In consequence of this, and the small secondary enrolment, the number of persons with sufficient education to profit from vocational and technical training is limited". The provision of this type of education is small but part of a trades school is to be constructed this year, which will be added to by students as part of their training.

Students with secondary school or higher education "are able to qualify for clerical or official positions with the Government and, more rarely, with private firms". But even with the low output, pupils with near or matriculate standards in education are finding some difficulty in obtaining work. "Here are the beginnings of the problem of literate unemployed so common in other developing countries." Education should be directed at qualifying most of the population for agriculture, in which they can get employment. More pupils should be induced to go beyond the four-year primary course. But improvements in education are retarded by a shortage of qualified teachers, limited facilities for their training, and a shortage of classrooms. By 1960 there will be a shortage of seventy-four teachers and 477 classrooms. The Teachers Training College is doing good work but its present output is insufficient to replace the large numbers of untrained and unqualified teachers. "An increase in teachers' salaries is inevitable and overdue, and suitable living quarters and other amenities must shortly be provided" as teachers require higher than average living standards, a wholly reasonable requirement which all too often is not met. The Mission recommends a £500,000 grant, on a matching basis, to Tribal Authorities to assist in primary school construction.

#### Migrant Labour

"It is estimated that 15,000 or 20 per cent of the adult male population is temporarily absent from the Territory at any given time in the (South African) Union and Southern Rhodesia or other Territories, and that a sum of about £450,000 is brought into the Territory each year in deferred pay and other cash savings by the different forms of migrant labour, agriculture, mining and domestic." When leaving the Territory for the mines the labourers are debited with £3 each for taxes, which brings in about £55,000 a year to the Protectorate Government. This and the £450,000 mentioned above is a substantial support for the economy. Lack of wage-earning opportunities at home and social prestige are the principal influences behind migration. Against the economic advantages must be balanced the effect on the native economy, which is difficult to assess, and the tendency to undermine tribal discipline and tribal standards of conduct, which are already being attacked by other factors.

#### The Economic Situation

The livestock industry is by far the most important source of income from trade and has raised the economy above a bare subsistence level, and it is possible that it can be considerably expanded. In 1958 the value of exports was £2,600,000 and cattle and cattle products accounted for 75 per cent of this sum. About 90 per cent of the cattle is owned by Africans, some of whom are large owners. Cattle have been increasing, it is estimated, at an average of 36,000 head a year since 1950 and water supplies and grazing have barely kept pace with the increase. Most farmers aim at the quantity rather than the quality of cattle. Castration and culling are rare and there is a general tendency to hold on to ageing stock for the sake of numbers. The most urgent problem is to establish adequate control over grazing, the use of water, and to increase the off-take of cattle.

Cattle are given the simplest and the most casual treatment. This is due not merely to the rigours of the climate, poor storage and the scarcity and poor distribution of water, the high incidence of pests, diseases and sometimes plant poisoning, "but also to the traditional attitude of the owners. . . . Common phenomena are the basing of individual or group prestige and of the traditional bride price upon the number and not upon the quality of the cattle . . . and an ingrained belief that apart from the provision of natural pasturage and browse and water and of protection from natural enemies . . . cattle may be left to fend for themselves." The primitive medical treatment by African stockmen often does no good and may indeed do harm. They may be maltreated in a variety of ways considered by European stockmen to be severe and cruel.

Demonstrations on African cattle in African areas should help, as demonstrations on Government cattle in Government stations are suspect.

In 1954 the Colonial Development Corporation set up an abattoir in Lobatsi. It is the sole exporter of carcasses and controls 80–90 per cent of the export of cattle. It was proposed in 1959 that producers should participate in the ownership and control of the abattoir, by means of trustees with a share of £75,000; the Government would put up another £75,000 and the C.D.C. would have an interest of £150,000. These shareholders will receive a maximum of 6 per cent interest, and any profits after this and the trustees' interest will be put into a fund to be run by the trustees. It is important that if the fund becomes substantial it should be used for the improvement of the cattle industry as a whole. To keep the abattoir running more fully efforts should be made to promote the off-season sale of cattle.

#### Crops and Land Tenure

The total value of agricultural production excluding cattle and animal products is estimated to be about £1 million a year. In 1958 two-fifths of this was exported and only three-fifths consumed. Output is limited by low productivity and the communal system of land tenure; ". . . most farmers live in villages situated considerable distances from their lands, and in principle are forbidden to fence them. The average holding is about 5–10 acres and the ordinary peasant cannot cultivate efficiently with draft animals and family labour more than 20–45 acres. Plenty of land is available as only 5 per cent is cultivated, but much of it is far from the centre of population."

Maize yields by capable European farmers are ten to fifteen times the African average, but the Department of Agriculture is making a limited contribution to improvement. Instruction of pupil farmers has raised the gross value of their output very considerably; it is not expected that later trainees will match these first results, as the keenest and better farmers volunteered for training first. "There is less evidence in Bechuanaland of willingness to change traditional ways than in the two other (High Commission) Territories." With its present staff the department can train about 450 progressive farmers every three years, and although it is hoped to double the staff the number of progressive farmers will increase slowly.

"Land tenure will be difficult to alter. Villages are convenient administrative units, and the chiefs are reluctant to see the people scatter. The tradition of allowing cattle to graze on communal lands after they have been harvested is a further obstacle, especially difficult to remove in a country where cattle is so important." Unless the staff of the Department is increased substantially to organize schemes of resettlement, to persuade the people to accept them, and to give instruction on modern farming, "no general increase in agricultural output is possible". If the yield of crops were increased, much of the extra output would have to be consumed by the growers, or sold locally as export. Outlets are limited; this would improve African diet.

#### "Co-operation"

Pupil farmers, known as co-operators, are trained by African Agricultural Demonstrators on 3-acre plots. From 1947 to 1959 the numbers of plots have increased from four to 447; the number of demonstrators from one to fifty-eight, and 694 co-operators have received instruction. Seeds, fertilizers, insecticides, etc., and implements are supplied to the pupil farmer, but the pupil is expected to buy his own implements during the three to four year training period. After training the farmer can purchase supplies and implements through the Department's extension service, and assistance is given in the marketing of crops. Farming requisites are supplied at cost price. Follow-up work by demonstrators and extension officers (Europeans) is necessary, as "not all co-operators can be taken the whole way to row-crop planting and cultivating in a short period as the evolution is too great from traditional planting to modern agronomy and in such cases even teaching the use of the harrow is a great improvement".

#### Water

Water is the limiting resource so far as economic development is concerned. Little relief has been given to overgrazed pasture at many watering points: "500 animals per point is a rather high average if good



grazing is to be maintained in the fragile lands. . . . Curtailment of Colonial Development and Welfare Funds for the 1960-4 period, which threatens to retard development of bore-holes in overgrazed areas and to prevent initiation of basic research, is most regrettable."

Early consultation with South Africa is desirable to prevent unplanned development of Limpopo water by private action. Okavango water development has interesting long-term possibilities. A full-scale investigation is urgently required of "several suggestions that have been advanced . . . of their relative advantages and disadvantages, (which should take account of) the fuel, power and transport requirements of the several alternative methods of exploiting the Okavango together with the possibility of using such facilities for other purposes along the water route and in the north-west".

#### Minerals and Light Industry

Asbestos and manganese are now mined, but the fall in world prices of asbestos has handicapped working. There are extensive brine deposits in the Nata delta. There are no salt supplies in the Central African Federation which imports 35,000 tons per annum: crude salt is £9 a ton in Bulawayo and sodium carbonate £25, most of which is the cost of freight. There would be a demand for these products in the Protectorate and in parts of South Africa. There are two seams of exploitable coal with extensive reserves. Opencast mining would be used but this entails costly machinery. The coal should be competitive in price as far north along the railway as Francistown, and if the cost is low enough could be sold in the Mafeking area and South West Africa. The full cost of opening an opencast colliery would be £1.5 million or more, but if this large-scale development is not possible incline exploitation could be done to supply local demand.

The industrial potentialities of the Protectorate are almost non-existent, owing to a lack of ready access to raw materials, markets and power. Water supplies are a limiting factor in all areas except Ngamiland. If the Okavango region were opened up by a canal, a railway and adequate supplies of electricity, there are industrial possibilities, but "only a large and potentially prosperous industry could stand the high capital costs. But it is not impossible. Apart from permitting industrial development it could prove the solution of the problem of intra-territorial capital." The advent of this costly water supply would permit, not cause, industries to be established.

Small processing plants and finished goods factories along the railway line are likely, provided that they do not require large quantities of water for their processes and their workers, and that there is a growth of cash income and local markets and that there is a reliable public supply of electricity. Technical skills are at present almost non-existent, but given capital and impetus something could be done in a small way. Smaller scale industries operated by traders and "spare time" enterprises by private individuals could be developed.

#### Credit Facilities

A Land and Agricultural Loan Fund is operated by the Government which can draw on United Kingdom Treasury funds and the general revenue of the Protectorate, but since 1955 only four loans have been approved, the purpose of which is to enable farmers to finance improvements. Applications for loans have been few, because the resources are known to be small and loans are not normally given for the purchase of land or cattle. European farmers suggest that credit facilities are inadequate. The Mission believes that with the increase in the value of the fund from the sale of Crown lands it will now be adequate and the Government proposes to raise the amounts that can be borrowed to £5,000 in a first mortgage and £750 on personal security. The fund should be better advertised and later the question of turning the fund into a mutual or co-operative society should be considered, and if this is done the next stage would be to change the fund into a bank which could accept deposits, acquire securities and have a broader loan policy.

There seems no present need to provide credit for African farmers. Progressive farmers are lent implements which they pay for out of increased yields during the instruction period. As they increase in numbers the creation of a co-operative credit scheme should be considered in

order to allow them to expand their operations. But many of the Tribal Treasuries could use loan funds productively. A scheme has been supported by the chiefs and the African Advisory Council's Standing Committee. The Treasuries would issue Saving Certificates of £10 or £20 with 5 per cent interest. The funds would be used for the erection of boreholes (the users of which would pay fees) and for other revenue-producing purposes of benefit to the tribes. The scheme would provide an easy means of investment for cash and might induce the sale of cattle at maturity when prices are highest, instead of holding them till they are over age. Whether this would happen or not "it is desirable to establish an indigenous credit institution as early as possible . . . it is to be hoped that the proposal . . . will receive a thorough trial."

#### Fiscal Implications

The Mission recommends that the development plan submitted to the United Kingdom Government should be supplemented by capital grants from the United Kingdom of £1,514,675. This would be spent on improvements in the cattle industry, in water supplies, in power, in communications, industry and commerce, in education and tsetse control. It cannot be expected that easy new sources of revenue can be found as the economy is not much above subsistence level and taxation of the wealthier section is only slightly below the rates in South Africa. It is possible to increase the yield of Native Tax, the Capital Export Levy and to collect water fees, and a surcharge should be made on motor fuel to pay for road maintenance.

The need to maintain adequate standards of administration will increase the gap between revenue and expenditure and annual grants-in-aid would have to be increased. A principal effect of the Report's recommendation would be to arrest this trend, in the long run. The strong injection of capital should increase the value of output and in consequence the value of revenue, "and give the economy a chance to work towards a balanced budget". Throughout the Report, the need to increase the number of Civil Servants and teachers is stressed.

#### Political Refugees in Basutoland<sup>1</sup>

Mr. Sydney Hulme, the magistrate of Maseru, has refused to grant extradition orders against four Union Africans who failed to answer their bail in Cape Town on January 9, in connexion with charges of incitement. He ruled that they were political fugitives. The four men—Alfred Mampe, Wilson Nanetsi, Lawrance Mqweba, and Ban Siboto—had been arrested in Maseru by the Basutoland police.

A fifth man, who also estreated his bail, is reported to be still at large. He is Philip Kgosane, a Pan-Africanist leader, who led a march of Africans in Cape Town at the time of the Langa disturbances last year.

Mr. Libertrau Ladybrand, who appeared for the defence, contended that the accused men were political fugitives. He quoted from British cases to make the point that, in such circumstances, extradition orders would not be granted. A head constable of the South African police admitted under cross-examination that the offences were political. The men are now at liberty in Maseru. (*The Times*, January 20.)

## South Africa, Union of Pondoland Emergency

THE South African Government proclaimed a State of Emergency in five districts of Pondoland on November 30. Under this entry into these areas by people who do not normally live there is prohibited except on permit and except for doctors, clergy and Government officials.

Statements subverting the authority of the State, including that of chiefs and headmen, organizing of boycotts, and neglect to obey any lawful order in these districts, are deemed to be offences. Penalties range up to £300 or three years.

Authorized chiefs in the districts are given power of summary arrest without warrant over any persons—White as well as Black—who unlawfully enter the area. The criminal jurisdiction of chiefs in council has, at

<sup>1</sup>DIGEST VII, 6.

their own request, been increased from £25 to £50. (*S.A. Star*, December 3.)

The *Guardian* (December 3) said that further study of the proclamations reveal the astonishingly wide powers entrusted by the Government to the chiefs. They can now, without notice, banish any tribesman, his family, and livestock to any place within the tribal area, and have the power of summary arrest of alleged offenders against the emergency measures. The proclamation adds that no civil action can be taken because of any deed or incident occurring in the enforcement of the regulations. This is itself increasing tension.

On December 12, two battalions of the Defence Force's "riot and rescue troops"—the Mobile Watch—moved into Pondoland. . . . The convoy was made up of scout and armoured cars, troop carriers, signal vehicles and light trucks. . . . The strength of each battalion, including the specialized units, was just under 200 men. . . . Weapons they carry are those of the infantry regiment—rifles, light machine-guns (Brens), 2-inch and 3-inch mortars, machine-carbines and varied types of grenades. (*Rand Daily Mail*, December 12.)

Further emergency regulations were published on December 15 under which all the original powers except those concerning detention and questioning have been extended to officers and non-commissioned officers of the South African Defence Force. Those powers include arresting suspects, without a warrant. In all cases the limitation placed on arbitrary arrest or detention is the phrase "on reasonable grounds".

To the provision that no civil action would lie against the authorities for any action taken under them has been added that no criminal action shall be capable of being taken against any person by reason of any action performed by him in good faith in the execution of his powers or duties under the regulations. But the following clause refers to the possibility of such action, saying that if the question of good faith arises it shall be presumed until the contrary is proved that the act concerned was done in good faith. (*The Times*, December 16.)

Meanwhile the South African Navy was patrolling the coast, where a private pilot from Johannesburg had reported seeing a submarine.

On November 15, thirty-five Pondos were found guilty of arson and sentenced to between eighteen months' and three years' imprisonment. An appeal was vetoed.

On December 3, the bodies of Chief Stanford Nomacqwetkana, of the Imizizi tribe, and four of his headmen were found near Bizana after they had been hacked to death by rebel tribesmen. During the night the kraal of Chief Stanford had been set on fire and razed. Only a few days before, Mr. V. Leibbrandt, chief magistrate and Bantu Commissioner for Transkei, had addressed a meeting of Imizizi tribesmen and thanked them for their "loyalty to the Government and for not joining the rebel Pondo tribesmen". (*The Times*, December 5.)

On December 16, Mr. C. W. Prinsloo, Chief Information Officer of the Bantu Administration Department, announced that eighty more arrests had been made and more were expected. On December 15 two African lawyers, Mr. R. S. Canca and Mr. Digby Koyana, were detained. They had taken part in the defence of Pondo tribesmen on charges arising from the recent disturbances and in the inquest proceedings on eleven Pondos killed in an encounter with the police.<sup>1</sup> (*The Times*, December 16.) And 100 huts were burnt between Queenstown and Umtata.

The *Rand Daily Mail* (December 16) said: "There is talk of the jails being crammed with prisoners and army vehicles being used to take some of them to Matatiele, Kokstad and even Maritzburg. There is also talk of shots being fired, of pre-dawn raids and people injured. But none of the reports can be confirmed."

Mr. de Wet Nel, Minister of Bantu Administration, made a number of statements. At a Press conference in Pretoria, he blamed "well-known Communists from Cape Town and Durban" for the unrest and said that he was determined to use all legal powers at his disposal to end the unrest. He would authorize the establishment of a Native "home guard". He denied that the trouble had anything to do with alleged opposition to Bantu authorities. (*S.A. Star*, November 23.)

*Die Transvaler* (November 24) commented: "With a view to what has happened in South Africa in the past, this decision of the Minister may perhaps appear a little drastic to some people. Great feeling has always

<sup>1</sup>DIGEST VIII, 3.

existed since the days of Slagtersnek and the Second War of Freedom about Non-Whites having the right to catch Whites. Let those who think and feel that way about the situation, however, consider that what the Minister now intends to do cannot in the least be compared with the incidents of the past. Those who are now inciting trouble in the reserves are adherents of communism and have only one aim. It is to cause the Natives to rebel against the legal government of the Union. People inspired with such aims do not deserve the least sympathy from other Whites and therefore it will be quite permissible to allow them to be caught by the tribal chiefs so that they can be punished before a court."

Several English language newspapers were unconvinced that Communists were to blame and the *Daily Dispatch* (November 24) said: "Granting arms and authority to use them to a Pondo home guard was a dangerous proposal. 'Such a move could quite easily lead to widespread massacre and open revolt'. . . ."

On December 13, Mr. Nel said: "I do not think that the Pondos are any more susceptible to agitators and communist propaganda than other sections of the African people", and admitted that there was a slight possibility of unrest in other territories. (*Rand Daily Mail*, December 14.) He also gave the assurance that "the Transkei is safer for holidaymakers than either Pretoria or Johannesburg". (*S.A. Star*, December 17.)

The Pondo boycott of stores in Bizana resulted in an estimated loss of £20,000 during November. A statement by Mr. Victor Leibbrandt, Chief Magistrate of the Transkei, that he would not meet a Pondo deputation until "they became more law-abiding", was greeted with bitterness by White traders. A trader said: "The Pondos decided to approach Mr. Leibbrandt and ask him to meet them. They wanted to apologize to him for boycotting his meeting and wanted to apologize to the traders for boycotting their stores. If Mr. Leibbrandt had agreed to meet the Pondos the boycott would probably have been lifted now and our stores would have been full of Pondos. As things are now the town could not be more quiet, and, of course, the boycott continued." (*S.A. Star*, November 19.)

*Contact* (December 3) reported a statement by Chief Botha Sigcan, the Government-appointed Bantu Authority, made to "a top-level security conference" in Umtata: "It is late for me to speak to my people. I can do nothing with them. Government must see what to do with them. Government must shoot them if it wishes."

*New Age* (December 15) reported that Chief Stanford, who was killed on December 3, had been encouraged by the statement on forming home guards to unleash a campaign of terror in the Mzizi location. One spokesman from the location said that if the Government had not kept on fanning the fires and playing off the chiefs against the people, the differences would have long ago been ironed out amicably. Pressed to say how this could have happened, the spokesman said that if the chiefs and the people had met they were sure that peace would have been restored in one day's negotiations. The Government, however, prevented this from happening. Chiefs who wished to back out of the Bantu Authorities scheme in response to pressure from the people were stopped from doing so by the Native Commissioners.

Mr. Anderson Ganyile, who was banished<sup>1</sup> to Frenchdale, near Mafeking, early in November, was interviewed by a *Contact* reporter before being arrested. He said: "The time has come for our people to stand on their feet and to demonstrate their solidarity. After all, what the Pondos are doing might one day be done by the Zulus, the Tembus, and others, and nothing can now stem the tide of the people's opposition."

"I have long known that the Government would one day take reprisals against any of us who tried to guide the people. How they will do this is in the lap of the gods—this I do not know. What I know is that what we are doing now is in the interest of the people." (*November 19.*)

*New Age* (November 17) reported that he was not allowed to go home after receiving the banishment order while on the street. "He was not allowed to say good-bye to his family or friends, to pack his belongings, or to wind up his affairs."

While the Press were being given permission to attend court cases only in the prohibited areas, the first prosecution against motorists entering the areas without permits were heard at Mount Ayliff. An African school teacher and five African passengers in his car were detained because the

<sup>1</sup>DIGEST VIII, 3.

passengers, who were not local residents, were not in possession of the necessary permits. One of the five passengers was discharged, the others were fined from £30 (or two months' imprisonment) to £5 (or twenty days). (*The Times*, December 9.)

A "Hands off Pondoland" meeting was banned in Durban. The rally was called by the Natal Indian Congress and Natal branches of the South African Congress of Democrats, and the South African Congress of Trade Unions.

The *Rand Daily Mail* (December 13) said: "Are two battalions required to deal with a few 'agitators' who are already known to the authorities? If all this force is necessary to institute the new Bantu Authorities' system in the Government's 'model Bantustan' of the Transkei, the outlook for the policy as a whole seems gloomy."

"It is clear now that Mr. Hans Abraham, the Commissioner-General for the Transkei, has shown himself unequal to the task. He has failed completely to win the confidence of the Africans, has apparently quarrelled with the police and other Government departments, has offended the Press and generally behaved in such an ill-advised and clumsy manner that he has even earned, so it is reported, a reprimand from Cabinet level. It is high time that he was withdrawn."

The *S.A. Star* (December 17): "Unless the mood of the people of Pondoland can be changed, what guarantee is there that very considerable forces will not be needed indefinitely to maintain order in this vast area? If this can occur in Pondoland there is surely a real danger that it can occur also in other large and heavily populated tribal areas. . . . The Transkei provided the most advanced example of the Bantu authorities' system in action. Now it is providing the most spectacular example of its breakdown."

Mr. Benson Dyanti, writing in *Drum* (December), said that much of the recent bloodshed in Pondoland could have been avoided if the Government was more reasonable in its attitude to the Pondo people. He asked: "How could White Communists be plotting in Pondoland without being seen by chiefs and police? In the hundreds of interviews that I have had in Pondoland not one person—Black or White—had heard of a Communist, let alone 'agitators', being landed from submarines along the coast."

Ex-Chief Albert Luthuli, former president, and Mr. Duma Nokwe, former secretary-general of the banned African National Congress, sent a telegram to the Prime Minister, Dr. Verwoerd, and the Minister of Defence, Mr. Fouché. It read: "We are personally shocked by the unwarranted use of the Army against defenceless people in Pondoland. Situation in Pondoland directly caused by unpopular Government measures. Resort to armed force and intimidation no solution. Demand immediate withdrawal of Army, abandonment of Bantu Authorities and attend to real grievances of the people." (*Pretoria News*, December 15.)

A National Conference of African leaders in Orlando, Johannesburg, sent a cable to the Secretary-General of the United Nations, Mr. Dag Hammarskjöld, urging that a commission of observers be sent to Pondoland "to observe the alarming military operations against unarmed people in the South African Government". (*Rand Daily Mail*, December 19.)

## Trouble in Zululand

Contact (November 19) reported that Mr. Maganyana Ngema, of Empangeni, Zululand, was due to stand his trial for inciting people to burn down huts, sugar cane fields and pastures. Six cane fields and pastures, it is alleged, have been burnt, and threats made to Government sympathizers in a new outbreak of rural opposition to Government schemes. The trouble appears to be due to plans to set up a sisal development scheme in this part of Zululand. Hundreds of families have been endorsed out of the area where they have been farming, to make way for sisal growing and for a sisal factory which is now being built. The people have been told that they may apply for permission to live in the location at Ematsheni from which the factory will draw its labour.

"Whatever the virtues of the sisal scheme may be, the people feel that it is being thrust on them, and they are doing all in their power to oppose it."

The *Times* (December 1) reported that trouble over the Government's

"betterment schemes" had broken out in northern Zululand, and in faction fighting that week one African was killed and several injured and about twenty huts destroyed by fire. The fighting occurred in an African location near Nongoma, the headquarters of the new Commissioner-General for Zululand under the Bantu Authorities Act and the "capital" of the Paramount Chief of the Zulus, Cyprian Bhekezulu. He added that the Paramount Chief is a supporter of the Government schemes and an attack by a hostile impi was carried out on twelve kraals occupied by the Paramount Chief's followers.

The Zululand coast was banned to civil planes. The *S.A. Star* (December 24) said: "It is believed that the corridor is being used for military operations." No official reason had been given for the restrictions on civil aircraft. Air Force planes had been seen flying northwards up the corridor at a height of only a few hundred feet.

## Mr. Hammarskjöld's Visit

Mr. D. Hammarskjöld, United Nations Secretary-General, arrived in Pretoria on January 6 for talks with the Union Prime Minister in accordance with the resolution of the Security Council in April 1960.

A group of Non-Whites numbering about 250 greeted him at the entrance of his hotel when he arrived from the airport. They carried banners calling on the Secretary-General to remember Sharpeville and appealing to him to "take the yokes off our necks".

Mr. Hammarskjöld left for Cape Town accompanied by Mr. Brand Fourie, South Africa's Ambassador at United Nations. He held a meeting with the Council for Coloured Affairs in addition to other engagements. At a dinner in Cape Province, he said South Africa's place in the world of today was "provocative" when one thought of the world of tomorrow. "So much history has been made, and you are living in a world of turmoil," he said. "You are moving towards a future which you want to shape. I am sure you will be able to find roads which will link you with that future."

Mr. Hammarskjöld referred to the many new African member States of the United Nations, which, he said, had come in without knowledge of international affairs and with extremely short domestic experience. "Our problem is to find, as quickly as possible, the bridges by which these people will be able to play their fullest part and tender their contribution to the international community," he said. "I therefore see in my own way a bit of the problem you have to solve. The most essential feature is recognition of a common and shared problem." (*South Africa*, January 14.)

At his own instigation and insistence Mr. Hammarskjöld visited eastern Pondoland. He was accompanied by Mr. de Wet Nel, and he was met at Umtata airfield by Mr. Hans Abraham, Bantu Commissioner General for Transkei; Mr. Victor Leibbrandt, Chief Bantu Commissioner; Chief Botha Sigcau, Paramount Chief of the Pondos; and eight other chiefs.

The *Times* (January 10) said that in spite of official statements that conditions are "absolutely normal" in Pondoland, emergency regulations are still in force in the five principal centres of Bizana, Lusikisiki, Flagstaff, Mount Ayliff and Tabankulu, and strong military and police forces are occupying the territory. During recent round-ups hundreds of tribesmen have been detained for questioning and many arrests made.

Shortly before departure, Mr. Hammarskjöld met Dr. A. B. Xuma, Dr. W. M. Nkomo, and Mr. K. T. Masemola. Both Dr. Xuma and Dr. Nkomo have past associations with the African National Congress but they withdrew from politics several years ago. Chief Luthuli expressed disappointment because Mr. Hammarskjöld "met tribal chiefs and others who are not representative of the African people". He said that if Mr. Hammarskjöld found it impossible to meet elected Native leaders, it might have been better in the interests of the United Nations' prestige—and to avoid misunderstandings—if he had not met any Non-White groups.

Asked whether he thought Mr. Hammarskjöld's visit had been of any value, Chief Luthuli said: "From the point of view of creating confidence among the people, I fear not. On the contrary, until Mr. Hammarskjöld makes a public statement his visit will remain under a cloud." Mr. Hammarskjöld had moved "in circles against which the people feel they are battling. He met the Government, Government-appointed chiefs and commerce and industry against whom we are fighting for better wages."

After Chief Luthuli had cabled a protest to Mr. Hammarskjöld about



a statement he was reported to have made, Mr. Hammarskjöld replied: "Thanks cable. You will already have seen that newspaper story to which you refer completely distorted. My stand as stated in Umtata explanation to that effect was published in today's Press. That I stand firmly on human rights basis seems to me too well known and obvious to call for any statement from me to that effect. I also made that very clear in Umtata." (S.A. Star, January 14.)

## South Africa and the Commonwealth

On November 20, Dr. H. F. Verwoerd announced that he had told Mr. Macmillan that the Union wanted to stay in the Commonwealth. He agreed with Mr. Macmillan's advice that the matter should be dealt with at the Commonwealth Prime Minister's conference next March. He said he was making his statement because of alleged leakages in London concerning South Africa's desire to remain in the Commonwealth. He went on:

"These leakages give the impression that they are designed to impede South Africa's continued membership or to persuade the public that South Africa would only be able to retain her membership on conditions or in circumstances which would be humiliating. The 'twist' introduced in these leakages is that South Africa has insisted that the question be settled by correspondence, because of her reluctance to subject South Africa's affairs to the attention which would inevitably go with discussion of her Commonwealth membership. Furthermore, it was alleged that Mr. Macmillan prefers settlement of the matter at a conference and that it was now a question of whose view is to prevail, his or mine. This is clearly an attempt to play off one Prime Minister against the other, which, of course I cannot permit."

Because of the "twist" Dr. Verwoerd said, he indicated that settlement by correspondence might well be in the best interest of the Commonwealth, "but only if Press reports were correct that representatives of member states about whose attitude there had been doubts had stated that in spite of differences they would not, in the light of the prevailing view, oppose South Africa's continuing membership."

"The Prime Ministers' conference would obviously exercise greater influence in matters requiring united action if it could give such matters its undivided attention. This would obviate the likelihood of hostile elements casting doubt on Commonwealth solidarity by misrepresentation, even in advance of discussions on membership."

Dr. Verwoerd added: "It is self-evident that South Africa will not permit herself to be subjected to any form of humiliating treatment." (The Times, November 21.)

Professor Charles Carrington, in an article in *The Times* (November 17) considered the question of republics in the Commonwealth. He concluded: "The South Africans cannot expect that the British will be swayed by the same sentiments of goodwill which induced them to make unilateral concessions to Ireland. It may be that counsels of moderation may prevail and that responsible statesmen in the Commonwealth countries may decide that to exclude South Africa is not the most effective way to aid the victims of the apartheid policy. Without doubt, in each of these countries there will be emotional reactions and political conflict over South Africa's continuing membership even though the Bantu majority might be put in a still weaker position by South Africa's expulsion."

The Bishop of Johannesburg, Dr. Ambrose Reeves, in a sermon in St. Paul's Cathedral, said: "There was a double duty laid upon church people within the Commonwealth to see that the Commonwealth made plain its own attitude towards all racial discrimination and also to encourage efforts to hold the Commonwealth together." He continued, "In practical terms this would mean refusing to expel South Africa from the Commonwealth. Yet at the same time it would be made plain to the South African Government that South Africa must begin at once to change its racial policies if it wants to continue membership in the Commonwealth."

Dr. Reeves suggested giving South Africa two years' probation in which it could show its good faith in this matter, at the end of which the issue would again be reviewed. If South Africa refused to accept this, then the responsibility for leaving the Commonwealth would lie with her Government. (The Times, December 5.)

The London correspondent of the *S.A. Star* (January 7) said: "With two months to go to the Commonwealth conference the basis of the British strategy on the South African membership question has become plain. Mr. Macmillan believes that the way to prevent the new republic being refused continued membership (and for his own Government to be saved from undue embarrassment) is for the issue to be played down as hard as possible, and presented as a really rather unimportant item on the agenda."

"Word of this has clearly gone right down the line in Whitehall. There are even officials who are prepared to argue that the matter is not on the agenda at all. It is, they say, simply a 'procedural point' which deserves to be cleared up quickly and without any silly fuss. Then the conference can get on with matters of real importance—like disarmament. Others do not go as far as that, but the general Whitehall approach at this stage is aimed at keeping the temperature as low as possible on this issue."

"What is equally plain, however, is that in seeking to play it cool Mr. Macmillan will have to depend almost entirely on his own ability in this direction. He will receive little assistance from outside the conference room. Dr. Verwoerd's attendance is regarded as essential to the satisfactory settlement of the membership question. But his presence in London is inevitably going to attract a very considerable weight of critical curiosity on the part of newspapers and public."

"And however forcefully Tory M.P.s insist, as they have been doing, that such an interpretation is inaccurate and unjust, the slightest experience of the behaviour patterns of Press and pressure groups in London must make it clear that the Union is going to be presented as being 'on trial' in March."

## Government Policy

### The Republic

Except for the substitution of a State President for the Governor-General, the draft Bill to constitute the Republic of South Africa contains no major changes from the South Africa Act. (Star, December 10.)

### Rigid Apartheid

The *Times* (December 2) reported that Dr. Verwoerd had removed any remaining possibility of a departure from the strict Party line of complete racial separation. Talking to members of the Nationalist Party in Johannesburg he made it clear that not the slightest deviation, not a single concession, could be permitted without destroying the fabric of apartheid, which for him has become synonymous with preservation of the White man generally and of the Afrikaner in particular. The Nationalists, he said, would have to "stand like walls of granite" on the issue. He expected renewed economic and political pressures on the Government in connexion with the colour policy—"perhaps even from within our own ranks"—but the Government would stand fast because the existence of the nation was at stake.

### Policy for Coloureds

Dr. Verwoerd has made two statements categorically rejecting direct representation for Coloureds which have caused a serious rift in the governing Nationalist Party. In the *Observer* (December 4) Stanley Uys reported that a powerful minority group of Cape Nationalist M.P.s, Afrikaner intellectuals, and Church leaders has urged that the Coloureds should be allowed to elect members of their racial group to represent them in Parliament.

The Cape Town newspaper *Die Burger*, one of the two leading Nationalist mouthpieces in South Africa, supported direct representation and its correspondence columns were full of letters from Afrikaner intellectuals, ministers of religion and others, expressing solid support for this view. Afrikaner intellectuals who advocated a new deal for the Coloured people were accused by Dr. Verwoerd of suggesting a programme of "small concessions" and "limited integration" in regard to the Coloureds which, he said, would open the door to "Black domination" and "biological assimilation".

In the following week Dr. Verwoerd announced that the Department of Coloured Affairs (which had hitherto been a sub-department of the Department of the Interior) would in future have its own Minister and

would take an active lead in a social and economic development programme for the Coloured people. This programme is in line with the Government's Bantustan policy.

The Prime Minister denied that there were differences in the Cabinet over policy towards the Coloured people.

#### Police and Army

Details of a plan to establish the "closest possible co-operation" between the police and the Defence Force have been announced by the Minister of Justice, Mr. Erasmus. Police commands will in future be accepted as geographic units, and the training of men and their ranks will, "as far as is practicably desirable", correspond with those in the Defence Force. A scheme has also been adopted for the establishment of a police reserve. Members of the reserve would attend to normal police duties, such as patrolling residential areas and keeping a watch on dangerous points in time of emergency, "when the police are engaged in combating riots, disturbances and so forth". (*South Africa*, December 17.)

### Alan Paton's Passport Seized and "Mayor" Deported

Alan Paton's passport was withdrawn when he returned to Johannesburg after visiting the United States and Europe. The South African Broadcasting Corporation devoted a programme to the incident and said Mr. Paton was "not a true patriot". The S.A.B.C. refused him the right to reply. The *S.A. Sunday Times* (December 11) published the talk he would have given, in the course of which he said: "In sober fact I never invited any other government to bring this Government to its knees. I am not all that important. I cannot influence governments. But I shall maintain till I die the right to speak the truth as I see it against any government in the world. There is no need for me to bring South Africa to her knees, she is there already. I can only try to bring the South African Government to its knees so that South Africa can stand upright."

"I feel no loyalty to the South African Government. My loyalty is to my country and its people. And I am satisfied that my country and her people will never be free until the Government is utterly destroyed." He added: "I predict that if Mr. Macmillan persuades the member countries to readmit South Africa, the Commonwealth will disintegrate." As far as his being reported as saying that the traditional racial policies of South Africa could be altered only by pressure from the outside, Mr. Paton said: "That is true. I do not believe that internal pressures, or a change of heart, will bring about this alteration. I wish it were not true."

There were widespread protests against the Government's action in the English language Press in the Union. The *Washington Post* commented that the South African Nationalist Party "is apparently so far gone in the throes of its White supremacist manomania that it views the only true patriotism as racism. . . ."

"In this case, the South African Government seems to bear out Mr. Paton's judgement: 'We are not a Nazi country, but we are not a bad imitation of one.'"

The F.E.N. Club of South Africa protested, and the Africa Bureau commented: "Inevitably, in South Africa today, this contemptible action is not wholly unexpected. Mr. Paton is a man of outstanding integrity and courage, who has worked consistently in the true interests of South Africa. In doing so he has become *persona non grata* with the Nationalist Government."

The unofficial "mayor" of Brakpan's African location, Mr. Motsamai Ramakhula, a member of the outlawed African National Congress, a state of emergency detainee, and a leader during the defiance campaign, was deported to Basutoland after living in Brakpan for thirty-one years.

### Treason Trial

The presiding judge, Mr. Justice F. L. H. Rumpff, described the argument by Mr. J. de Vos, Q.C., leader of the Crown team at the treason trial, as of no use to the Court in its present form. He ordered that it be recast, and accordingly adjourned the hearing until January 9.

This was the second occasion on which Mr. de Vos had been ordered to recast his argument. In the previous week, when he began argument for the Crown on the subject of Communism, he was ordered by Mr. Justice

Rumpff to reduce his submission to writing and to provide a copy for the defence. Since then he had been almost continuously interrupted by the three judges with questions on the form in which his argument was being presented and the manner in which he attempted to justify submissions on the evidence before the Court. Some of his arguments had to be abandoned or curtailed after objections to the admissibility of the evidence on which they were based, or to the form in which the evidence was presented. (*S.A. Star*, December 17.)

On one occasion Mr. Justice Rumpff said it was almost impossible for the Court to discover from the form in which the argument was presented what was held to be exclusively Communist in the documents and what was consistent with other ideologies. When Mr. De Vos explained how he proposed to "swing" from one set of facts to another, a judge remarked that the Court would have to be careful not to become intoxicated "with all this swinging about". He then gave a detailed explanation of how Mr. De Vos should have set out his argument.

Mr. De Vos thanked the Court for its advice. "It is very difficult," he said, "to know how to approach an argument of this kind in the most helpful manner." (*Rand Daily Mail*, December.)

Security Branch detectives once more sat outside a Kerk Street, Johannesburg, hall, to see who attended a Christmas party given for the treason trial accused and their wives and children.

### Cato Manor Trial

Ten African men were sentenced to death at the close of the 4½-month trial for the murder of nine policemen in January 1960. Eight others were sentenced to terms of imprisonment ranging from five to fifteen years. (*S.A. Star*, December 7.)

### Trials of Newspapermen<sup>1</sup>

Patrick Duncan, editor of *Contact*, was fined £350 (or fifty days) in Cape Town after being found guilty of contravening the Emergency Regulations. In his defence, Mr. Duncan argued that the regulations were defective by reason of their injustice, and quoted Sophocles, Aristotle and Cicero in support of the view that equity takes precedence over the written law. Thomas Aquinas, he said, had clearly stated that "A tyrannical law, through not being according to reason, is not a law, absolutely speaking, but rather a perversion of law." Mr. Duncan went on to give examples of the various South African laws that not only "actually seek to deny life to Non-Whites" but "shamelessly deny justice". He quoted from the articles for which he stood accused, which had described the Pan-Africanist campaign, and the courage of Philip Kgosane, as well as the beatings of Africans in the streets of Cape Town after the shootings at Sharpeville and Langa.

The Crown appeal in the case against Mr. John Sutherland, editor of the *Evening Post*, was dismissed in the Grahamstown Supreme Court. The Chief Magistrate held that Mr. Sutherland could not be summoned under the Emergency Regulations because the summons was served after they had lapsed.

Dennis Kiley, a Johannesburg journalist, was fined a total of £400 or eight months' imprisonment for sending false information about prisons to the *News Chronicle*. In passing sentence the magistrate said that the prestige of the State and the administration was involved. The Court sympathized with those who took up the cudgels on behalf of the underprivileged, but in this case the action was done for financial gain. Kiley had abused the freedom of the Press.

Kiley said that "concentration camp" was his own description for Modder prison. He also said that in normal circumstances he might have found it necessary to make further inquiries but he had regarded the matter as "very urgent". The circumstances were that Africans were being beaten up in the streets by the police and the arrests of thousands there being kept secret. (*The Times*, December 6.)

### The Churches' Views

The World Council of Churches meeting in Johannesburg adopted by at least an 80 per cent majority resolutions which reject some of the

<sup>1</sup>DIGEST VIII, 3.

fundamental principles of apartheid. The three Afrikaans churches among the eight South African member churches in the Council expressed considerable reservations in separate statements. The conference adopted the following resolutions:

"A policy which permanently denies to Non-White people the right of collaboration in the government of a country of which they are citizens cannot be justified. It is our conviction that there can be no objection in principle to direct representation of Coloured people in Parliament. We express hope that consideration will be given to the application of this principle in the foreseeable future."

Points from other resolutions embodied in the statement were: there are "no scriptural grounds" for the prohibition of mixed marriages; no Christian may be excluded from any church on grounds of colour or race; the present system of job reservation must give way to a more equitable system of labour; wages of Non-Europeans must be raised by concerted action.

The smallest of the Afrikaans churches, the Dutch Reformed Church of Africa, issued a statement backing apartheid as the "only just solution to our racial problems", and said that it could not subscribe to the resolutions which contained such far-reaching declarations.

Conference sources described as "revolutionary" the statement by the two other Afrikaans churches—the Dutch Reformed Churches of Cape and Transvaal—which, while supporting the idea of "differentiation", voted for the point which said: "... a policy which permanently denies to Non-White people the right of collaboration in the government of the country of which they are citizens cannot be justified". (*Guardian*, December 15.)

The *Pretoria News* (December 15) commented that it was significant that the Dutch Reformed Churches explicitly accepted the principle of participation in government for those who have "no other homeland". This implies recognition of a class of permanently urbanized and "expatriate" Natives who are entitled to a share in the country's administration. On this important and controversial principle there is, therefore, apparent unanimity, with the exception of the Dutch Reformed Church of Africa.

The *Rand Daily Mail* (December 20) said: "There is no doubt that there are the seeds here of a conflict between the biggest of the Dutch Reformed Churches and the Government."

The *S.A. Sunday Times* (December 18) commented that the conference "took the only step open to it by boldly condemning racial discrimination as it is practised in South Africa".

Meanwhile in a book (published in Afrikaans and English) entitled *Delayed Action*, eleven theologians and leaders of the three Dutch Reformed Churches called for a new approach to South Africa's Colour problem. The Professor of Theology at Stellenbosch University, Dr. B. B. Keet, wrote: "It is well known that our Afrikaans churches are in favour of total apartheid, if by this division all groups are given the fullest rights. The fact is, however, that such a division is not possible at this period in our history. The advocates of apartheid have constantly claimed that only their policy is able to save White civilization in South Africa."

"The opposite is true; its fruits, internally as well as externally, have shown clearly that there is no hope for South Africa if Black nationalism has to be fought by force. It is my conviction that the time has come for our Afrikaans churches to notify the State that they no longer see their way clear to supporting the apartheid policy and after that to insist that a better way be sought for the solution of our racial problems."

Dr. J. Stutterheim, a minister of the Hervormde Kerk, wrote: "One searches the Gospels in vain for any discrimination on the grounds of blood relationships or race. The dividing line in the Gospels does not lie between people of different races, but solely between people who do the will of God and people who do not do the will of God." (*The Times*, November 21.)

Although several of the writers have expressed their misgivings about apartheid before, it is believed to be the first time that ministers of the Hervormde Kerk have done so.

Roman Catholic Archbishop of Durban, Denis Hurley, began a

campaign to "destroy colour prejudices among our people". In a series of sermons the following points are made: "Justice demands the right to vote for anyone—regardless of colour—who has the 'necessary qualifications'."

"Non-Whites must be permitted to evolve gradually towards full partnership in the cultural, economic, and political life of the country. Nobody must be shunned socially because he is different in race or colour."

A similar series of anti-colour bar sermons is to be preached in all churches serving the Union's 1,200,000 Roman Catholics. (*S.A. Sunday Times*, November 20.)

South Africa's first African Anglican Bishop, the Rt. Rev. A. H. Zulu, was consecrated in St. George's Cathedral, Cape Town, by Archbishop de Blank. The new Bishop of Damaraland (South West Africa), the Rt. Rev. Robert Mize, was also consecrated.

Bishop Zulu's diocese will comprise the whole of the Transkei, the Xhosa tribal territory which includes Pondoland. The Bishop has played a considerable part in public affairs. He supports in an outspoken way the policies of the moderate and intensely Christian ex-chief Albert Luthuli, the rusticated head of the banned African National Congress. (*Guardian*, November 28.)

The remaining twelve Bishops of the Church of the Province of South Africa decided to give the deported Bishop of Johannesburg, the Rt. Rev. Ambrose Reeves, £1,000 a year from their own pockets for as long as he is away from his diocese. (*Northern News*, November 26.)

On December 20, the Dean of Johannesburg said Bishop Reeves had been one of the leaders of the attack by the Church<sup>1</sup> on "this monster of apartheid and all the evil things that came in its train. As a result the Church has become a danger to the security of this monster, and so it seemed our Bishop was singled out."

The Rev. Trevor N. W. Bush, chaplain of St. Andrew's School, and a strong critic of Government policy, was forced to resign because of political pressure. Mr. Bush had written a letter in the *New York Times* sharply criticizing the Government. (*The Times*, November 21.) He had also invited an African archdeacon to preach in the school. Among other complaints had been those from staff members about the wording of the chaplain's prayers—particularly when he prayed for Bishop Reeves and Archbishop Joost de Blank.

## Overseas Comment

The International Commission of Jurists, meeting in Geneva, gave a warning to the South African Government that the continuation of its apartheid policy "might soon lead to even more widespread internal violence than has already been experienced". Their report said that apartheid is "morally reprehensible and violates the rule of law". It points out that "it is not a violation of positive law that is being brought to the attention of world public opinion, but rather the spirit in which such law is made by the administrator and enforced by the judge". It continued that there is "strong evidence" that this policy is not supported by the entire White population. Indeed, "constructive criticism" of apartheid is "clear and articulate". In the light of these factors, the Commission "does not wish to submit to the world legal community a mere indictment of the ideology and political practice currently applied in the Union". It desires "rather to create an awareness, both in South Africa and abroad, of the full legal and moral implications of the current situation and to stress the pressing need for a change of policy that will bring about understanding and co-operation between the various races".

*The Times* (December 29) considered what a political commentator in *Die Burger* described as "an acute crisis of faith within Nationalist Afrikanerdom on race relations". It commented that there were no signs that Dr. Verwoerd was in a mood to yield to sharp criticism even among his own supporters. The outlook for 1961 is sombre. "The interminable Treason Trial is due to bring more shame on the Nationalist concept of justice, when the adjournment comes to an end. The disorders in Pondo-

<sup>1</sup>Shooting at Sharpeville, by Bishop Reeves (Gollancz).]



land—however hard the Government tries to keep quiet about them—stand out as a clear indication of Black African discontent—even in the Reserves—with the parody of the tribal system now being conducted by the Bantu administrators.

"Discontent will not be stifled by the increased expenditure on Bantu homelands promised by Mr. De Wet Nel for the next twelve months. The good work that may be done in agriculture and other practical spheres cannot make up for the fundamental weakness of the planning. It is wildly anachronistic to assert, as some Nationalist ministers do, that a stable Native society will develop on purely tribal lines. More and more signs in the Union are pointing to a quickening consciousness in the Black majority of being African." Besides the Native population in towns had gone up by leaps and bounds. The editorial concluded: "There are still no signs that its lessons have been learnt at the top. Unless they are—and that without much delay—the Cape of Good Hope will better deserve its old original name—Cape of Storms."

The *Daily Herald* refused an order for space for an advertisement by South Africa House. The advertisement would have cost £264.

Mr. Barrat O'Hara, an American Congressman who recently completed a three-week visit to Africa, said in Washington that so far as South Africa was concerned America must make "more completely clear than in the past that we have no sympathy with the South African (race) programme".

### Indian Centenary

On November 16, the South African Indian community celebrated the centenary of the arrival of the first Indian indentured labourers in Natal. *New Age* (November 17 and 24), recalling Gandhi's part in inspiring the non-violent resistance movement among all races in the Union, said: "In 1893 Gandhi came to Natal. He found widespread social prejudice against the Indians. Licensing officers discriminated against them and the raising of the educational standard required of immigrants prevented a large number of passenger Indians from entering the country. The introduction of the first anti-Indian Bill in the Natal Legislature coincided with Gandhi's visit and he prolonged his stay to fight it."

"The Indian people, who in the past had sought legal assistance to protect their rights when attacked, now learnt the strength of political unity and organizations. Telegrams of protest and a petition bearing 10,000 Indian signatures were sent to the Natal and British Governments, followed by personal representations by Indian political delegates. The first Indian political organization, indeed the first Non-White political organization, the Natal Indian Congress, was formed in 1894. In 1902, the Transvaal Indian-British Association was formed. Gandhi was the first secretary of both organizations."

"The Disfranchisement Bill, however, passed the Assembly. Indians were disfranchised in Natal in 1894. They lost the municipal vote in that Province in 1924. They have never had the vote in the Transvaal and the Free State. In the Cape about 1,000 Indians exercise the Municipal vote. Gandhi initiated the first passive resistance struggle in 1906 to protest against racial discrimination against Indians."

In 1913 he led 2,037 men, 127 women and fifty-seven children on a four-day march crossing the Natal-Transvaal border without necessary permits. They were arrested and railed back to Natal where they were imprisoned with hard labour.

In 1946, the N.I.C. under the leadership of Dr. G. M. Naicker and the Transvaal Indian Congress under the leadership of Dr. Y. M. Dadoo, formed a new Passive Resistance Council which launched a passive resistance campaign against the Asiatic Land Tenure and Indian Representation Act, passed during the twilight of the United Party Government.

Women again played a prominent role, making up almost half the total number of resisters. Mass meetings and demonstrations became the order of the day. While the 1946 passive resistance campaign remained Indian in character, the platform drew multi-racial speakers and towards the end of the campaign a few European and African resisters courted imprisonment as a symbolic gesture of unity.

Since 1952 Indians have continuously joined with Africans and other races in their defiance campaign and in 1958 they held one of their mass

protests against the Group Areas Act, when over 20,000 Indians gathered at Curries Fountain, Durban.

### Opposition Parties

#### Progressive Party

At its second Congress the Progressive Party policy laid down the disappearance of the colour bar from the voters' roll and the need for all new voters, White and Non-White, to comply with certain qualifications (educational, property and income). The country should have a rigid constitution; the Senate should be elected by popular vote, each candidate having to get at least a fifth of the votes of each race group; the Senate would have wide powers to block "racial legislation" passed by the House of Assembly; individual rights and liberties would be safeguarded by a Bill of Rights entrenched in the Constitution.

The Congress re-elected Dr. Steytler as leader of the Party with Mr. Harry Lawrence as national chairman, while Professor P. V. Pistorius, head of the Department of Greek at the University of Pretoria, and a former Nationalist, was elected to the national executive. The gist of the views expressed in the pro-Government Press on the Congress was that the Party's policy would mean the surrender of the Whites to the Blacks.

The *Northern News* (November 21) compared the philosophy behind the plan with that applied in the Federation and reported: "The main criticism that has been heard of the progressive 'new deal' up to now is that it satisfies neither the Non-Whites, who want universal suffrage, nor the Whites who do not consider the guarantees adequate."

#### African Unity Conference

Thirty-six African leaders from all parts of the country met to formulate a united African viewpoint towards South Africa's political situation. Among them were former members of the now banned African National Congress and Pan-Africanist Congress.

The police raided the private conference, seized documents and took eleven delegates to the police station for questioning. They were later released. (*Guardian*, December 19.)

#### Natal Convention Committee

A committee of eleven people representative of all races, but including no politicians, was elected by a meeting of 1,000 people in the Pietermaritzburg City Hall, on November 1, to lay the foundation for a Natal Convention. Dr. Edgar Brookes, Professor Geoffrey Durrant, the Rev. A. Msimang, and Dr. M. Motala are among its members.

The resolution was proposed by Mr. Peter Brown, national chairman of the Liberal Party, who refused to accept nomination to the committee because "I am of a political brand". It supported the Natal Provincial Council stand and the twofold purpose of the Convention—to decide how increased autonomy is to be used in Natal if it is granted, and to decide how to work together to oppose racial discrimination if Provincial autonomy is not granted.

Dr. Verwoerd subsequently rejected the Natal Provincial Council recommendation for changes in the Constitution.<sup>1</sup>

### Economic Effects of Apartheid

The *Northern News* (November 15) reported that "South Africa has apparently lost £100 million in the first ten months of 1960 in what can only be described as a flight of capital. This loss did not start at the beginning of the year, but after March 18, on which date the foreign exchange reserves stood at £153 million. At the end of last week they were £87 million. But in addition to that fall of £66 million must be added £30 to £40 million favourable balance of payments. In simple terms, the reserves should have benefited by the big export trade the Union has done this year, but the benefit has also gone out of the country."

On November 22, Dr. Diederichs, the Minister of Economic Affairs, announced that as a result of discussions by the Economic Advisory Council on the balance of payments outlook for the immediate future the Government had decided to show a measure of caution in the issue of import permits.

The Executive Board of the International Confederation of Free  
'DIGEST VIII, 3.

Trade Unions (I.C.F.T.U.) has called for "economic sanctions" to be imposed on South Africa by the United Nations if the Union Government refuses to change its racial policies.

### Separate Development

The Minister of Bantu Administration, Mr. de Wet Nel, announced that since the publication of the Tomlinson Report fully £19 million (or £5 million a year) had been spent on the development of Bantu homelands. Natives had contributed about £1 million in cash. In the next twelve years more than £36 million would be spent on the reserves. The Minister spoke of the progress of a project to house 750,000 town Africans, and of irrigation and fencing works. The *S.A. Star* (December 1960) gave credit to the Government, municipalities and employers, for breaking the back of what had seemed the insuperable problem of providing housing for Africans. It added: "The actual sum allocated to the reserves, though greater than was generally thought, has fallen far short of the total of £50 million which, under the Tomlinson recommendations, should have been earmarked for the purpose since 1955."

The *Rand Daily Mail* (December 14) commented: "The Tomlinson Report envisaged the setting up of industries in the reserves to make them self-supporting. There is nothing about this in the Minister's statement. There is merely a list of agricultural betterment schemes and some rather vague talk about African towns in the future. There is no sign of any start with industrialization and how could there be, at £5 million a year?" It pointed out that "Mr. F. P. Spooner, a former Economic Adviser to the Union Government, estimates the cost of industrialization at £1,000 a worker, or something like £3,500 million. Spread over forty years this would mean an annual outlay of about £90 million. No wonder Mr. Spooner describes the Government's plans as 'farcical'."

The *S.A. Sunday Times* reported that the 2 million morgen of land, which must serve as the "homeland" of the 1,400,000 Coloureds in South Africa are mainly in the arid north-eastern Cape. Only a small proportion of the Coloured population lives in these "homelands" areas. . . . Coloured leaders in Cape Town were shocked to learn that Dr. Verwoerd had created a "Colouredstan" for their people: an entirely new development in Government policy.

### Separate Universities

The Hon. Leslie Blackwell, Q.C., in an "Inquest on Academic Apartheid" said: "The Government is now busily engaged in the fantastically uneconomic and academically sterile task of building up five new university colleges with a Non-European potential of 1,000 students, or less, and with little prospect of increase in the future. So far the number of pupils at the three existing colleges are: Turfloop eighty-six, Zulu College forty-eight, Fort Hare 390."

Indian leaders have called on the Indian community in Natal not to co-operate in the Government's ethnic college for Indians. Plans are going ahead for establishing their own university, with students being enrolled with London University. (*The Times*, January 9.)

### Child Labour

*Ilanga Lase Natal* (December) commented on malpractices revealed by the Bishop of Zululand, the Rt. Rev. T. J. Savage: "Children over eight years, he said, were obliged to work on farms for six months of the year, and many farmers insisted that they did so, allowing them to attend school for six months only. No civilized country should tolerate this sort of thing. We feel that the Government should take steps to make these conditions illegal."

### African Poverty

Many Non-Whites in South Africa wake up hungry and have to tackle a full day's work on empty stomachs, according to the Association for the Improvement of Bantu Wages and Productivity in Johannesburg, which has been studying the living habits of the country's low-paid workers.

Thousands of African workers rise as early as 4.30 a.m. and get to their jobs physically and mentally ill-equipped for work. Many of these men and women workers have to walk long distances to the nearest transport. Before their journeys start there are countless minutes—or even

hours—of waiting. The Association's findings reveal that these bread-winners seldom eat before starting work.

### Status of African Women

Mr. J. C. M. Mbata, a research officer with the South African Institute of Race Relations, told the annual conference of the National Council of African Women that "compared to the women on the rest of the continent, the women of South Africa can be said to be marching with their men. They can, and often do, earn money independently, and can exercise a legal right to their earnings; they can open bank accounts, and can run independent businesses and own property." (*Rand Daily Mail*, December 20.)

### "Café Defiance Campaign"

Eight Non-White citizens of Cape Town defied social apartheid by walking into the first floor restaurant of a big department store in Adderley Street on November 19, and asking to be served. Within ten minutes a Special Branch squad arrived at the store. They did not enter the restaurant nor did they apprehend the demonstrators. When they were refused service one of the Non-Whites asked why the store did not reserve the right of admission in respect of Non-White customers who were buying articles at the counters.

The Non-Whites—Africans and Coloureds accompanied by Whites—were all members of the Liberal Party, but they engaged in the demonstration as individuals. One of them, Mr. Kenneth Hendrikse, said: "We see ourselves as ordinary citizens of Cape Town. We are resolute in our determination to put an end to social segregation. We feel this sort of thing should be done throughout South Africa to put an end to the passive acceptance of racial segregation—by beginning in that sphere in which apartheid is accepted voluntarily." (*S.A. Sunday Times*, November 20.)

By December 5 there had been five such demonstrations and the *Guardian* (December 13) reported that mild confusion is beginning to manifest itself among Cape Town's café managers about how to deal with the steadily increasing number of "sit in" demonstrations by mixed racial groups in Whites-only establishments. . . . "For the second time in the course of the three weeks' campaign a mixed group consisting of ten people was served. This took place in the open-air café of the historic old company gardens in the heart of the city." It added: "A proclamation was promulgated under the Group Areas (Residential Segregation) Act forbidding such mixed conviviality, but no police action has been taken yet, although names have been taken and Special Branch police hang about at the demonstrations. The café authorities are also nervous of the reaction of their White customers. These have not been noticeably violent yet, and in some cases have been definitely encouraging."

On December 13, three African men, two White men and two White women entered a department store restaurant in the centre of Johannesburg. The Indian waiters were told not to serve them while four plain clothes policemen watched, subsequently taking their names and addresses and taking the Africans to a police station where they were questioned for nearly half an hour and told to appear at the Magistrate's Court. (*Rand Daily Mail*, December 14.)

A few days later there was a similar demonstration at the Zoo Lake Restaurant which is reserved for Whites although the Lake is a popular resort for all races.

The *Rand Daily Mail* (December 14) remarked on the atmosphere of dignified restraint on both sides.

Lionel Attwell, a European, and Litsebe Williams, Nangamso Masabalala and Stanley Mboni, all of Moroka, appeared in Johannesburg Magistrate's Court on December 17. Attwell was charged with incitement and the Africans with contravening the Group Areas Act. Their case was adjourned until January 11.

### Colour Bar in Sport

Mr. Alan Gibson, a B.B.C. international rugby commentator, refused to report games played by the South African rugby team, as "a logical extension of the boycott my wife and I have observed for some time on South African goods". (*Natal Daily News*, October 20, 1960.)

The White South African Cricket Association has been under pressure

from the non-racial South African Sports Association regarding the inclusion of Non-White players in Springbok cricket teams. The S.A.C.A. referred the matter to the Government and has been told by the Minister of the Interior, Mr. Naude, that the Government does not favour inter-racial competitions within the borders of the Union and will discourage such competitions.

The *Pretoria News* (November) commented: "As we are a small nation and as our international teams are admittedly chosen from a minority of the population, Springboks might find themselves being banned as being not truly representative of their country, with, perhaps, Non-White teams replacing them. This would be a considerable blow to sports-minded South Africans, but the fact must be faced that it is a multi-racial world we live in and unless we wish to isolate ourselves completely—with the dire consequences that holds—we must eventually come to terms with other races as well as other countries—in sport as much as in any other field of endeavour."

Ghana-born Dennis Adjei, a leading contender for the Empire bantam-weight boxing title, has been refused a visa to visit South Africa. His manager tried to obtain a visa for a fight against Sexton Mabena at Durban and Jerry Moloi at Johannesburg. As a result, the British Boxing Board of Control has written to the South African National Board expressing bitter disappointment over the refusal. The Board has also suggested that to avoid future problems of this nature it would be as well for South African promoters, before negotiating for the services of boxers in Britain, to confirm that visas will be granted. (*West Africa*, January 14.)

### Population Figures

The Bureau of Census and Statistics announced that the Union's total population has increased from 12,671,000 in 1951 to 15,841,000 in 1960: Africans (26 per cent increase), 10,807,892; Whites (16 per cent increase), 3,067,638; Coloureds (35 per cent increase), 1,488,638; Asians, 477,414.

In Johannesburg the African population rose by 157,565 from 465,266 nine years ago to 622,831; the White population by 30,213 to 389,690.

## South West Africa

### United Nations Adopts Resolutions

THE General Assembly adopted the resolution calling on the United Nations South West Africa Committee to visit the Mandated Territory for an investigation. It was adopted by seventy-eight to nil with fifteen abstentions. Those who abstained were Britain, Australia, Portugal, Austria, Belgium, Canada, Nationalist China, Finland, France, Greece, Ireland, Japan, Holland, New Zealand and the United States.

The Committee was charged with reporting back on conditions necessary for restoring a climate of peace and security and to make proposals on the steps which would enable the indigenous inhabitants to achieve a wide measure of internal self-government designed to lead them to complete independence as soon as possible.

There was a separate vote on a section of the same resolution "deprecating the application in South West Africa of the policy of apartheid and calling on the South African Government to revoke or rescind immediately all laws and regulations based on that policy". This was approved by ninety votes to nil, with three abstentions (Britain, Australia, Portugal). (*The Times*, December 19.)

The Assembly also adopted a resolution inviting the United Nations Children's Fund and three United Nations specialized agencies to provide economic and social aid to the indigenous population of South West Africa.

The Assembly concluded that the dispute which had arisen between Ethiopia, Liberia and other Member States on the one hand and the Union of South Africa on the other, relating to the interpretation and application of the Mandate, had not been and could not be settled by negotiation and commended the Governments of Ethiopia and Liberia upon their initiative in submitting such dispute to the International Court of Justice for justification and declaration in a contentious proceeding in accordance with Article 7 of the Mandate.

The Assembly expressed "deep regret" at the action taken by the police and soldiers in the Windhoek "native" location in disturbances in December 1959 and urged the mandatory power to refrain from the use of force to secure the removal of "location residents"; requested it to prosecute and punish officers responsible for casualties at Windhoek and provide adequate compensation to the families of the victims.

Having noted that leaders of the South West African Peoples' Organization and other Africans in the Territory are being subjected to arbitrary imprisonment and deportation, the Assembly expressed its deep concern and urged the South African Government to instruct the competent authorities to cease the arbitrary imprisoning and deporting of Africans, including the leaders and members of S.W.A.P.O., and to ensure the free exercise of political rights and freedom of expression for all sectors of the population.

Before voting on the various resolutions began the South African delegate, Mr. Fourie, recalled that South West Africa was now a question of contentious proceedings before the International High Court and moved for the adjournment of the debate on the grounds that the General Assembly would be violating the rule of *sub judice*. The Assembly rejected the adjournment move. South Africa was the only supporter while Australia, Belgium, France, Italy, Luxembourg, the Netherlands, Portugal, Spain and Britain abstained from voting. (*Windhoek Advertiser*, December 19.)

During discussions of the draft resolutions in the Fourth Committee, Mr. Kennedy (Ireland) argued that an immediate visit to South West Africa could only lead to a further increase in tension and that the Committee would be ill-advised to interfere with the Mandate before the adjudication of the International Court of Justice was received, in order not to inhibit the Court's action.

Other delegates, among them Mr. Fabregat (Uruguay), did not agree that the measures proposed would increase tension, either internationally or in the Territory. The arrival of a United Nations mission would testify to a desire for clarification and for a just solution of the problem.

Mr. Smithers (United Kingdom), explaining his delegation's abstention, said that after a careful study of the draft resolution the United Kingdom delegation had decided that some parts of it exceeded the supervisory powers of the United Nations under the terms of the Mandate and other parts prejudged the issue which was before the International Court of Justice.

### Opposition Motion Accepted

Opening a debate in the House of Commons on December 15 Mr. James Callaghan (Labour) moved "That this House calls upon the Government to take action in the United Nations and in the forthcoming Commonwealth Prime Ministers' Conference to ensure that the Government of South Africa carries out the solemn obligations it undertook in accepting the mandate for South West Africa, or surrenders it to the United Nations so that alternative trusteeship arrangements can be made."

Describing conditions in the Territory, Mr. Callaghan said: "The whole apparatus of a Police State has been imported into this mandated territory. The system of apartheid has been imposed in its full rigour. Men and women have been alienated from the land which they had tilled. The citizens of South West Africa have been denied the elementary rights of free men everywhere to have a share in their government. . . . A year ago there was a revolt at Windhoek . . . Africans were killed. Many were wounded and imprisoned."

Recalling condemnation of apartheid in South Africa after Sharpeville by Government spokesmen, Mr. Callaghan said: "I take it that in South West Africa the British Government disapprove of the imposition of apartheid. . . . I take it from what they have said on various occasions that they disapprove of the virtual annexation of the territory by South Africa in defiance of her trust. . . . I take it that they disapprove of the failure of South Africa to present reports on her trusteeship to the United Nations. Am I right? We would like to hear the Government say so. If they do, it would give a great deal of comfort to people in these territories who are waiting for a glimpse of the attitude of the British Government."

Mr. Callaghan described the United Kingdom's voting at the United Nations as "inglorious". He continued: "We managed to get up our



hearts so high that on a resolution which asked that the United Nations Children's Fund might venture on some charitable purpose in South West Africa we managed to vote for it. . . . In very small company, we managed to abstain on a motion which deplored and disapproved the policy practised by the Government of South Africa contrary to its obligations under the international mandate of December 1920. We managed to abstain on a motion deprecating the application in the territory of South Africa of the policy of apartheid. We even managed to abstain on a resolution which invited the United Nations Committee on South West Africa to go to South West Africa immediately to investigate the situation prevailing there. . . .

"I understand that the reason for this is that Ethiopia and Liberia, two States who were independent and were members of the League of Nations, have taken the case of South West Africa to the International Court. It was said by our representative at the Fourth Committee—I have a copy of his statement—that we treasured the independence of the judiciary to the point where we would like nothing to be done by the United Nations that would be likely whilst the matter was *sub judice* to prejudice any discussions which might be going on. The question follows, however, if that is the Government's attitude, whether they will accept the decision of the International Court when it is handed down."

Mr. Callaghan suggested that South Africa's application for readmission to the Commonwealth should be made an occasion for inviting her either to abolish the system of apartheid and all that flows from it in South West Africa or, alternatively, to surrender her mandate.

Mr. Patrick Wall (Conservative) said he was prepared to accept the last sentence of the leading article in *The Times* (September 14) which read: "A mandate has been stolen and the thieves are vainly protesting their innocence." I support any effort which can be made by Her Majesty's Government to sort out the legal position in international law. The moral issue is the one that chiefly concerns me. Apartheid is being applied in South West Africa. Many Afrikaaner Nationalists in the Union itself are beginning to feel that the policy of apartheid will not work. . . . I am afraid that the present South African Government have no intention of modifying the system of apartheid as it exists in the Union and in South West Africa." He concluded: "The speech which the Prime Minister made in Cape Town—the 'wind of change' speech—did a great deal to remove the feeling which was growing in African minds that we had abandoned our interest in their future. We in Britain therefore have great responsibilities. We have tried to set a good example. In the colonial sphere the contrast between Nigerian independence and Congolese independence is obvious to the world, and in the mandatory sphere the development of Tanganyika as compared to that of South West Africa is also obvious to the world. . . . We have set an example which has not been followed by the present Nationalist Government of South Africa. That Government's policy is opening out that part of Africa to the Communists—the very thing which the Nationalists say they are trying to prevent—and this policy is a grave embarrassment to us. I hope that we shall not destroy the faith which the African people, the vast majority of English-speaking people, and a large number of Afrikaans-speaking people in the Union have in us by supporting a Government whose racial policy is discredited in the eyes of the world."

Mr. Dingle Foot (Labour) said there were four juridical issues which fall to be considered relating to South West Africa. "First, can the United Nations revoke a mandate, or can a mandate be forfeited? . . . The second question is whether, when South Africa becomes a republic, either inside or outside the Commonwealth, she will have forfeited her right to continue as the mandatory power. The third question is: is it the case that, as is now alleged by the Governments of Ethiopia and Liberia, the South African Government are in breach of their obligations under the mandate by reason of the policy which they have pursued in South West Africa? The fourth question . . . is: are the South African Government in breach of their obligations under Article 73 of the Charter of the United Nations? It may well be that the third question, and possibly the first, may be decided by the International Court as a result of the initiative which has been taken by Ethiopia and Liberia. But I would like to say a word or two about the second and the fourth questions. . . . The mandate is expressly given to His Britannic Majesty to be exercised on his behalf by the Govern-

ment of the Union of South Africa. I have ventured to raise this matter before, both in the House and outside, and in May of this year I wrote to *The Times* suggesting that if South Africa became a republic within the Commonwealth it was at least questionable whether she could continue to exercise a mandate on behalf of the British Crown. I went on to suggest that if South Africa were to become a republic out of the Commonwealth, the result must almost certainly be to bring her mandatory rights to an end; because it could never have been contemplated, when the mandate was first given in 1919 that it should be exercised on behalf of the British Crown by an alien Power. Later, *The Times* raised the same question in a leading article on September 5, which evoked an immediate reaction from Mr. Eric Louw, the South African Minister of External Affairs. He said, of course, that he had been advised in a contrary sense."

Mr. Foot quoted from a statement on July 14, 1960, by the Minister of State for Commonwealth Relations, who then said: "What is the position if South Africa becomes a republic as the result of a referendum which includes South West Africa, and would this prejudice the status of the territory? Here I think there are two questions. . . . The first is, assuming that the mandate is recognized as still being fully effective, the status would not be affected by any change of the Constitution of South Africa. My understanding is that the international obligation entered into by a country when its monarchy is head of the State is not abrogated or in any way diminished by reason of the adoption by that country of any other form of constitution."

Mr. Foot commented: "It will be observed that the Right Hon. Gentleman did not deal at all with the distinction—it may be the vital distinction—as to whether the Union, as a republic, was inside or outside the Commonwealth. I wish to ask him this, because this is a very important question: is it the view of the Commonwealth Relations Office that it makes no difference, that the mandate would be entirely unaffected even though South Africa were a republic outside the Commonwealth? Of course, in any event, as *The Times* pointed out, these matters simply cannot be decided by the *ipse dixit* of a Government Department. . . . There is only one tribunal in the world which is competent to decide this issue, and that is the International Court of Justice. We ask—I do not suppose that we shall get an answer tonight, but we shall continue to ask—are the Government prepared to submit this issue to the International Court?"

Mr. Foot also said that only the International Court could answer his fourth question—are South Africa in breach of their obligations under Article 73 of the United Nations Charter which are: " . . . to develop self-government, to take due account of the political aspirations of the peoples, and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each Territory and its peoples and their varying stages of advancement." He continued: "It is not merely a form of words. It is part of the law of nations. It is the specific obligation which is accepted by every member of the United Nations. Having regard to what we all know of the application of the policies of apartheid, it is impossible to argue that that obligation is being carried out in South West Africa by the Union Government."

Mr. Foot concluded: "It may be that some of these questions will not be covered by the application which is brought forward by Liberia and Ethiopia. Therefore they ought to be dealt with separately. There ought to be a reference by the General Assembly of the United Nations to the Court for an advisory opinion. May we know, at any rate in general terms, what is the attitude to these juridical issues of Her Majesty's Government? Do they agree that these issues as to whether the Mandate can be, has been, or in certain circumstances may be, forfeited should be decided by the International Court? If so, will they in future instruct their representatives at the United Nations to act and speak and vote accordingly?"

Mr. A. Creech Jones (Labour) said: "In all the circumstances, the United Nations is perfectly right in the declarations which it has made from time to time, that the spirit of the Mandate is being evaded in the administration of this territory."

Commenting on the *sub judice* argument, Mr. Creech Jones said: "To leave the South African Government free to continue its unrestrained oppression and misrule would be to make a mockery of the United Nations and of those rights which the judgement of the International

Court is being asked to vindicate. . . I urge the Government to review the instructions they have given to their representatives at the United Nations. . . I urge the Government to accept the amendment and thereby agree that the intolerable situation in South West Africa should be brought to an end, so far as it is within our power to influence this development, and that we should take a constructive line in the United Nations in order to do something to redeem the present dreadful position of the inhabitants of South West Africa."

Replying for the Government, Mr. C. J. Alport, Minister of State for Commonwealth Relations, said: "The remarkable thing about the debate has been the way in which, except for the Hon. Member for Ipswich (Mr. D. Foot) . . . and the lawyers amongst us, everybody seems to have fought shy of the legal implications of this problem. Yet I doubt very much whether it is possible for the whole of the attitude of the United Kingdom Government, or, indeed, the problems of South West Africa, to be understood unless there is some conception of the legal complexity of the matter."

On the Government attitude towards the case brought by Liberia and Ethiopia, the Minister said that the United Kingdom representative had described this as "a practical and constructive step, which could further clarify the legal position and which could establish another point of certainty in a confused situation". Mr. Alport continued: "The hon. and learned gentleman asked what attitude we would take to the views of the International Court when they were announced. I think that the attitude we would take would be similar to the attitude of the Labour Government of 1950 when, it will be remembered, that the decision of that Government . . . with regard to the advisory opinion given by the International Court with respect to South West Africa was given to the Trusteeship Council after the opinion had been studied by Her Majesty's Government. I should think that any Hon. Member would regard that as being a reasonable and responsible approach to that matter."

Outlining the Government's interpretation of the legal position, the Minister said: "The basis of our interpretation . . . is the advisory opinion of the International Court of Justice, given in 1950. . . Let us consider what that advisory opinion was, or rather, what are the deductions which we can make from it. They are these: firstly, that the mandate is still in force; secondly, that the Union Government continue to be subject to the obligations imposed on the Mandatory Power by the mandate and that the supervisory role has passed from the defunct League of Nations to the United Nations; thirdly, that such powers of supervision should not exceed in extent the supervision practised under the mandate system; fourthly, that the Union is not under any legal obligation to place the Territory under the trusteeship system of the United Nations. . . The fifth deduction is that the competence to determine and modify the international status of the Territory rests with the Union Government acting with the consent of the United Nations."

Mr. George Thomson (Labour) intervened to ask the Minister if he was suggesting that the United Nations does not have the legal authority to initiate changes in the mandatory arrangements in South West Africa, and Mr. Alport replied: "What I am doing is making a deduction from the opinion given by the International Court of Justice—the highest legal court—which, as far as I am aware, is the best legal opinion on the subject. This being our view of the legal position of South West Africa, we did, in the past, have some reservations with regard to the legality of the South West Africa Committee, set up under the United Nations General Assembly, which has interpreted its functions in certain directions to extend its supervisory function beyond the precedents set by the League's Mandates Commission when it was in existence."

Mr. Alport repeated that it was the Government's view that the establishment of a Republic in South Africa would not alter the fact that the Mandate was entrusted to the Government of the Union of South Africa. "It is in our view a misunderstanding, both of Commonwealth and United Kingdom constitutional practice, to deduce from the use of these particular words (on behalf of His Britannic Majesty) the idea that any special rights or responsibilities in respect of South West Africa were conferred upon Her Majesty's Government in the United Kingdom, or, indeed, on the Governments of any other part of the independent Commonwealth. The fact is that our legal position in relation to South West Africa

in no way differs from that of any other member of the United Nations which was also a former member of the League of Nations. . ."

He said he would like to think further about the question of whether South Africa's departure from the Commonwealth would alter its position as the Mandatory Power but his impression was that it would not "affect the situation in the least".

Government policy, Mr. Alport said, had been to encourage negotiation with South Africa. It was a very great regret to us that the Good Offices Committee, which seemed to be making substantial progress at one time, did not succeed in finding a solution. Referring to the argument that as the result of Ethiopia and Liberia's action the question of South West Africa was now *sub judice* Mr. Alport said: "It has been our view that, while the *sub judice* principle applies, it should not be interpreted as excluding all forms of consideration and thus placing in suspense the supervisory functions for the whole duration of the Court proceedings, but that it would be lacking in respect to the Court, and might prejudice the Court proceedings, if the Assembly were to pronounce substantively on the matters contained within the application while the Court was considering that application and had it before it."

In explanation of the United Kingdom's voting at the United Nations the Minister said: "There are, first, three resolutions dealing with petitions, freedom of political organization, and disturbances in connexion with the projected move of the Windhoek location, which were put forward as annexures to the Report of the South West Africa Committee. I have already mentioned our misgivings regarding the proceedings of this body, but these were coupled with the difficulties, in our view, of pronouncing a judgement on matters pending before the Court at the particular time the debate took place. This led us to abstain from voting. The same consideration has led us to abstain upon the vote on the resolution which invited the Committee on South West Africa to go to the territory immediately with a view to reporting to the Assembly on the conditions for restoring a climate for peace and security and the steps which would enable indigenous inhabitants to achieve a wide measure of internal self-government designed to lead them to complete independence as soon as possible. In the case of the resolution commending the Governments of Ethiopia and Liberia on their initiative in submitting their dispute to the International Court of Justice, the reasons for our abstention were not, as I explained to the House, that we opposed their initiative, but because the resolution as drafted pronounced that the Government of the Union had failed and refused to carry out its obligations, which was precisely the ground on which the reference to the International Court of Justice was made. Further, we were unable to accept that part of the resolution—its conclusion—to the effect that the dispute could not be settled by negotiation. It is certainly not the view of the Government that, however long may have been the delays, and however grave the disappointments in the handling of this matter, a settlement by negotiation is no longer a practical proposition."

Criticizing the Amendment under discussion, Mr. Alport said first, that it made no reference to the case before the International Court. "The second thing about the Amendment is the alternative at the end of it, of the surrender of the mandate and its assignment elsewhere. I have already dealt with that. I have said that, as far as we understand the legal position, it is as contained in the Advisory Opinion of the International Court, 1950. That is something which Right Hon. and Hon. Gentlemen opposite could have considered in framing the amendment. I cannot tell the House, for reasons which Hon. Members fully recognize, what will be the subjects which the Commonwealth Prime Ministers will discuss at their meeting in March. I must, however, make one thing clear, namely, the limitations upon the United Kingdom's action in this matter, which are placed on it either in its capacity as a member of the United Nations or the Commonwealth. There can be no question of the United Kingdom being able to ensure unilaterally a solution to the problem of South West Africa. Therefore, in that sense the Amendment does not relate to the realities of the situation. In so far as it lies within the capacity, the ingenuity and the statesmanship of the United Kingdom to play a constructive part in bringing about a satisfactory outcome of the South West Africa problem, both as a member of the United Nations and as a member of the Commonwealth, it is certainly our intention to do so. . ."

"Despite the faulty wording of the Amendment, and its failure to pay proper regard to the realities of the problem, I recognize that the House is anxious about the continuing failure to find a practical solution to the problem . . . I realize the general anxieties relating to the subject and, because of that, and in the light of the considerations that I have outlined, I do not propose to vote against the Amendment."

Mr. Callaghan commenting on the acceptance of the motion said: "This is a most extraordinary situation. For the first time for twenty or thirty years an Amendment has been accepted, but the terms in which the Minister accepted it must be distasteful to many of his own followers, as well as to those of us on this side of the House. The Right Hon. Gentleman has done exactly what our representative did in the United Nations. He has been willing to wound yet afraid to strike. The timorous and bloodless approach which characterized our representative in the United Nations has characterized the Right Hon. Gentleman's speech here tonight. . . . If the Minister intended to accept the Amendment I wish that he could have done it in more gracious terms than those in which he did accept it."

### Britain's Vote

In a letter to the *Guardian* (December 24) the Reverend Michael Scott wrote: "So much that Britain stands for in Africa and the world was damaged by the action of the United Kingdom delegation in the matter of South West Africa at the United Nations. Of the six resolutions before the Fourth Committee Britain abstained on all except the one suggesting that the United Nations specialized agencies be invited to assist there."

Mr. Scott said he had been told by the United States representative, Senator Wayne Morse, that his delegation had been obliged to abstain on a resolution proposing that a visiting commission should go to South West Africa and that this had resulted from a direct approach to the White House by a high personage in the United Kingdom Government and that the Senator had repeated this in a speech at an Overseas Press Club dinner in New York. "He said he had declined to cast a vote himself in the Fourth Committee, having made the proposal himself that a commission should visit South West Africa. He claimed that a similar British intervention had caused the United States abstention on the resolution granting independence to colonial territories. He also claimed that the whole United States delegation objected to the United States abstention on this vital question and inwardly supported their Negro member when she stood up and applauded the resolution when it was passed. He had suggested to the White House that the time had come for a new declaration of independence from Britain by the United States. What are the facts behind Senator Morse's allegation?"

In a footnote the editor confirmed that (as reported by Max Freedman in the *Guardian*, December 23) the allegation of British pressure on the White House on the motion about colonialism had been repeated by the Diplomatic Correspondent of the *Washington Post*.

### Appeal for United Action

On November 28 the eight petitioners for South West Africa issued an appeal to the member States of the United Nations, and in particular to the African States, to reach an agreement on policy and action commensurate with the gravity of the challenge to the United Nations which the South West Africa situation constituted. They claimed it would be a travesty of justice if the legal action which was designed to enforce rights already adjudicated by the International Court should be used as a pretext to defer General Assembly action which had gone as far as the Assembly could go in implementing the Court's decisions. Nevertheless, this would be primarily the effect of an application of the so-called *sub-judice* rule, which in any case does not limit the Assembly's right to debate the matter under Article 10 of the Charter.

"To suggest that the General Assembly should be invited to suspend its supervisory functions and that petitioners should cease to petition because the Court has been seized of the matter, while leaving the South African Government free to continue its unrestrained oppression and misrule of the people, would be to make a mockery of the United Nations and those very rights of the United Nations and the people which the judgement of the Court is being sought to vindicate. . . . We believe that a United Nations Commission should be set up which could ensure a con-

tinuous United Nations presence in South West Africa and which would be empowered to draft plans for an eventual transfer of the administration and that member States should be invited to co-operate in the training and equipment of volunteers for the many and various tasks which will urgently confront them.

"We would therefore appeal for a consolidated resolution or for separate resolutions to be sponsored which would enable all our friends, or as many as possible, to conscientiously and enthusiastically support. Such a resolution would call attention to the failure of all past resolutions and attempts to negotiate a settlement, would urge the importance of immediate practical steps being taken for the speediest possible realization of the goal of self-determination and independence, and would indicate the role which the United Nations through its Committee on South West Africa and its special agencies and the action of individual member States could take towards this end."

### "Day of Mourning" Plans Stopped

The Chief Magistrate of Windhoek, Mr. C. L. Hager, proclaimed that no meeting of African groups could be organized within the municipal boundaries during December. Special mention was made of the fact that no permission would be granted for the holding of any memorial service and any gathering would be prohibited on December 10. On that date in 1959 lives were lost in the Windhoek Location during a clash with the South African police.

The official notice said that the magistrate "had reason to apprehend that the public peace would be seriously endangered by the assembly of public gatherings of Bantu groups in public places within the limits of the jurisdiction of the municipality of Windhoek". (*Windhoek Advertiser*, December 2.)

Writing to the United Nations Secretary-General on December 5, Chief Hosea Kutako renewed his people's request for the United Nations to send a Commission to the territory. He said: "We wish to draw your attention to some new developments . . . as from November 21 armed police are patrolling the old Windhoek Location day and night. On December 1 the Windhoek Chief Magistrate declared that he had reasons to apprehend that the public peace would be seriously endangered by the assembly of public gatherings of African groups in public places. . . . On our part we have no intention of breaking the peace or of creating violence of any sort. On the contrary, the Government is creating a dangerous situation which the Chief Magistrate interpreted as being created by African gatherings."

"The patrolling of the police in the location and around the location is very dangerous and threatening to the African public. As a result, the Africans are so restless and are expecting the same shootings as that of last December at any moment. As we can gauge from the movement of the police and armed forces of the Union Government in the territory, the situation is explosive."

### Judge Hall's Successor

The Speaker of the South African House of Assembly, Mr. J. H. Conradie, Q.C., has been appointed Judge-President of South West Africa. Before entering Parliament, Mr. Conradie practised at the Bar in Cape Town. He succeeds Mr. Justice C. G. Hall, a former Judge of Appeal, who has retired. (*East London Dispatch*, S.A., December 1.)

## WEST AFRICA Cameroons, British

### Plebiscite for Independence

A TOTAL number of 354,163 men and women have registered for the forthcoming independence plebiscite in the British-administered Southern Cameroons.

The plebiscite, which will be held on February 11, will ask the people in both the Southern and Northern Cameroons: "Do you wish to achieve



independence by joining the independent Federation of Nigeria?" or "Do you wish to achieve independence by joining the independent Republic of the Cameroons?"

In the Northern Cameroons a total of 292,985 men and women registered earlier this month.

The population of the Southern Cameroons is 826,000 and its northern counterpart 762,000. (*Ghana Daily Graphic*, December 30.)

The Cameroons People's National Convention—opposition party in the Southern Cameroons legislature—has given notice to call on the United Nations to partition the territory between the group desiring union with the Federation of Nigeria and those seeking unification with the Cameroon Republic. Dr. E. M. L. Endeley, leader of the Opposition, and national president of the Convention, told a Press conference in Buea that this decision was necessary because of the failure of the British administering authority to comply with the United Nations plebiscite resolution. He explained the resolution required that full information on the governing Party's proposal for joining the Cameroon Republic be given to the people as has been the case for those desiring to join the Federation of Nigeria.

Another reason he gave was the refusal of the Kamerun National Democratic Party, the governing party in the territory, to accept a compromise proposal by the Opposition for a separate independent Southern Cameroons State. Dr. Endeley's third reason was the "tribalistic group" which K.N.D.P. has introduced into the plebiscite campaign. (*Ghana Daily Graphic*, December 23.)

## Gambia

### Economic Difficulties

SIR EDWARD WINDLEY, Governor, and three Gambia Ministers had talks with the British Government in November about the economic problems facing the colony. The Governor has announced that the price of groundnuts from Gambia for the coming season has been fixed at £27 a ton, an increase of £3 over last year's price.

Groundnuts are almost the only export from Gambia, and play a vital role in her economy. The progressive drop in world prices has undermined the colony's financial position for several years, and during the discussions it was made clear that the only satisfactory fillip to the economy lay in support for the price of groundnuts, which might otherwise have fallen to about £22 a ton.

The matter is complicated by the fact that Gambia's long frontier with Senegal (in which Gambia forms an enclave) is impossible to patrol. Senegal forms part of the European Common Market, and the price paid there for nuts last year was about £30 a ton. Inevitably, large quantities of nuts from Gambia were sold across the border, with a consequent loss of revenue from export tax.

The price of £27 a ton is made possible only by the earmarking of capital funds originally destined for development expenditure in 1962, which must now come from Colonial Development and Welfare Funds.

Gambia is thus committing her capital resources to provide a stop-gap remedy to a problem of income. Furthermore the remedy is only a temporary one, for, as the Governor said, the price of £27 might have to be abruptly reviewed if, for instance, there was to be a further fall in world prices, or evidence that the Gambian crop offered to the marketing board was being augmented from outside sources. (*The Times*, December 23.)

### The Budget

Increases in taxation provided in the new budget will raise an additional revenue of £90,000, of which increased tobacco duties will account for approximately 45 per cent. New taxation measures include a basic income tax of 1½d. in the £ on incomes of £150, and 3d. in the £ on incomes of £350 or more until present schedules and allowances make a higher sum payable.

Government recurrent expenditure of £2.1 million is envisaged. Ordinary revenue, after increases in taxation, is estimated at £1.5 million. The deficit will be met by drawing on all local reserves, £450,000, and a United Kingdom grant of £150,000. Capital expenditure should total

£908,000—of which £600,000 is from C.D. & W. and £128,000 from the Reserve Farmers' Fund. This season's groundnut price of £27 has only been possible by reducing export duty on groundnuts by almost £4 a ton—costing Government £230,000 over the year. (*West Africa*, January 14.)

## Ghana

### Modern Ghana

AN article entitled "Old Crimes and New in Ghana", *West Africa* (December 10), reviewing new legislation, said: "Just before Ghana became a Republic, a dozen Bills appeared which, between them, established republican institutions, regulated the Civil Service, arranged for the vesting of State property in the President, arranged for the conduct of Cabinet business, and did much else . . . and even defined what 'a month' is. Now a second wave of legislation, part of a general scheme of statute law revision, is before Parliament. It includes, among others, a Bill replacing three English statutes relating to the taking of evidence in the High Court on behalf of a foreign court and similar matters, a Bill providing for enforcement in Ghana of judicial decisions of other countries, and Bills affecting coroners and notaries public. These make little change in existing laws, but they tidy them up and bring them up to date—'modernize' them, in other words—the President's ambition for Ghana as a whole.

"The main features of the Statute Law revision are the new Criminal Procedure Code and the new Criminal Code. The Criminal Procedure Code Bill does have innovations. The jury system, at present applicable only in Southern Ghana, is extended to all regions for capital offences, and can be extended for other offences. It introduces the system of conditional and absolute discharges to deal with minor offences. More important, there is a radical alteration in the 'committal for trial' procedure. At present the magistrate takes down all the evidence which has then to be typed before the accused can be tried. In future a list of witnesses and a summary of evidence will be presented to the accused and the magistrate. The magistrate may hear the prosecution and the defence and is then required to decide whether there is a case for the accused to answer. This should result in considerable speeding up of pre-trial procedure, and the long delays which sometimes occur between preliminary hearings and trials should be reduced. . . .

"The two principal changes introduced by the Criminal Code Bill, which is essentially a consolidating measure, are an entire rearrangement of the sections of the present Code and a system of grading of the more serious crimes. The Bill is arranged in four principal parts. Part I contains general provisions; Part II, offences against the person; Part III, offences against rights of property, and Part IV, offences against public order, health and morality. The Criminal Procedure Bill now sets out the circumstances in which offences are triable summarily or on indictment.

"A number of topics have been removed from the present Criminal Code with a view to their insertion in more appropriate Bills. All provisions dealing with lotteries and gaming have been incorporated in a Lotteries and Betting Bill. The Criminal Code Bill is also more exhaustive than the present Code; it incorporates, for example, the substance of the United Kingdom Official Secrets Acts, 1911 and 1920, which are still in force in Ghana. . . .

"Opportunity has also been taken to propose the repeal of a number of obsolete enactments, many of which are described as 'a legacy of colonialism'. Thus the Repatriation of Convicted Persons Ordinance is considered obsolete now that Ghana is an independent, unitary state. The Peace Preservation Ordinance, which gave the Governor power to fine chiefs, is not reproduced. Similarly, the provisions dealing with requiring rioters to disperse by proclamation—'reading the Riot Act'—(based on obsolete English statutes) is not reproduced, as the case is sufficiently covered.

"There are a host of minor amendments to the present code, some clarifying definitions, some simplifying the law."

### Agricultural Development

Mr. Kojo Botsio, Minister of Agriculture, reviewed Ghana's agricultural industry where he addressed the first African regional conference of

the Food and Agriculture Organization in Lagos. He said about 60 per cent of the national economy came from cocoa.

Mr. Botsio went on: "Although our population has, as indicated by the recent census, increased by over 50 per cent during the past twelve years, there has never been any serious shortage of foodstuffs, during the period. Realizing, however, the danger of a one-crop economy, my Government has now accorded the development of agriculture and the expansion of production the utmost priority. My Ministry has prepared a revised development plan which involves the expenditure of some £14 million. This is a very substantial percentage of our whole Five Year Development Plan expenditure, the Volta River hydro-electric scheme excepted.

"Apart from the expansion of our cocoa industry, for which available land is bearing marginal productivity, our plans include the development of rubber, cotton, coffee, rice and other grains including sorghum, and livestock on a large-scale co-operative mechanized farming basis, and the modernization and expansion of our fishing industry."

The Government, he said, had embarked on schemes of land planning in the Northern Region, the Accra Plains, the Lower Volta River Project, which made it a scheme of paramount importance in view of the rice-producing potentiality of the area.

The Accra Plains scheme was designed to create favourable conditions for cattle and the livestock production, and possibly for ranching and market gardening. Ghana was reported to be the largest importer of meat in Africa and the Government did not propose to maintain this "unenviable position", if it could be helped. They would encourage meat production on a large scale by the supply of breeds resistant to disease.

In modernizing and expanding the fishing industry their programme involved (a) the fixing of outboard motors to canoes which would increase the range of catches considerably; (b) the introduction of vessels for fishing on more modern lines.

Already several Ghanaian fishing companies had been established. Five fishing harbours were being built. Refrigeration facilities were being provided at some centres and would later be set up at inland points. A large freshwater fishing development would be centred on the lake which would be created when the Volta River dam was built. "Our immediate problem in connexion with malnutrition is the lack of adequate protein supply in the diet of most of our people. . . ."

The forestry industry in Ghana, said the Minister, was third on the list of large revenue-yielding commodities. Reservation in Ghana was well advanced with a total of 8,499 square miles, of which 5,856 square miles were in the closed forest zone and 2,643 square miles in the savannah woodland zone. . . .

"One large game reserve of 900 square miles in Northern Ghana, and two small reserves in the south, had been established and selection of other suitable areas was being made."

Mr. Botsio said the Builders' Brigade was being converted into a land army and plans had been prepared in two stages for the agricultural operations of the Brigade. The first stage was training to be carried out on camp rotation farms. Members of the Brigade would be instructed in agricultural practices in the field, including the operation and maintenance of farm machinery. The training period would be two years. The second stage was the establishment of large-scale co-operative farm settlements to which members of the Brigade will be transferred on completion of their training.

"To this end it is intended to recruit only Middle School Leavers who are interested in agriculture," said the Minister. "The enrolment in the Brigade now is 12,000 men and women." (*Ghana Today*, December 7.)

## Expansion in Education

Ghana is to have free and compulsory primary education as from 1961. President Nkrumah has announced that 3,000 students will be sent to the Soviet Union and some other "Eastern countries". He described this move as a practical demonstration of the Ghana philosophy of positive neutralism and non-alignment. He remarked that 3,000 other Ghanaians were pursuing further studies in Western countries.

Mr. Kojo Botsio, Minister of Agriculture and Minister of State for

Parliamentary Affairs, in a broadcast said that it was the Government's intention that the University College of Ghana should serve more closely the needs of the country in training personnel required for development programmes and in fostering the study of the great heritage of African culture and history.

Mr. Botsio is chairman of the Commission appointed by the Government to look into university education in the country. (*Ghana Daily Graphic*, December 12, 13 and 17.)

Opening a new Teacher Training College, Mr. Botsio said that the Ghana Educational Trust will have, within the space of about three years, rehoused and expanded about ten secondary schools and built in addition about thirty new ones by September.

Mr. Daniel Chapman, headmaster of Achimota School, said that 92.5 per cent of his students who sat for the recent school certificate examination passed. The average passes for all other recognized schools in the country are 66.4 per cent.

Mr. E. B. Caulley, general secretary and treasurer of the Ghana Union of Teachers and Cultural Services, has announced that the African Regional office of the World Confederation of the Teaching Profession (W.C.O.T.P.) will be established in Ghana with its headquarters in Accra. The Ghana Union plans to build a teachers' hostel in Accra, estimated to cost £30,000. The cost would be met by the teachers themselves, who would contribute £1 each from the back pay they would be receiving under the Government's "new deal". (*West Africa*, January 14.)

## Funds from Cocoa

Sir Tsibu Darku, chairman of the Cocoa Marketing Board, announced that the Board's stabilization fund now stood at £44 million. He said the purpose of the fund, which was built from profits accruing from the sale of cocoa, was to enable the Board to pay a reasonable price to producers whenever the world market price fell to a low level. The Board had other reserves in addition to the stabilization fund and its total accumulated reserve now stood at some £75 million.

A sum of £27 million had been given to the Ministry of Agriculture toward cocoa rehabilitation and control of swollen shoot and capsid. The West Africa Cocoa Research Institute had received £2 million in aid of research into cocoa diseases and cultivation of high yielding varieties.

An endowment of £2 million was given to the Faculty of Agriculture of the University College of Ghana. Regional organizations had received grants totalling about £3 million towards local development projects.

The Board chairman said that in 1958 the Board paid to the Ghana Educational Trust £2½ million to build and maintain secondary schools in selected centres all over the country. Work was at present in progress on a £450,000 hospital at Mampong in commemoration of Tetteh Quarshie, the man who introduced cocoa into Ghana.

The Board had earmarked £200,000 to build health centres and loans to cocoa farmers totalled £3 million.

The Board had invested a capital fund of over £7 million in local and overseas securities, the interest of which was used to finance the scholarship scheme. Over 3,000 scholarships had been awarded by the Board and 800 more offered to the Ghana Educational Trust schools since 1959.

On the Board's contribution towards the Second Development Plan<sup>1</sup> the chairman said an Act empowered the Government to borrow from the Board up to a total of £25 million to finance the plan. To date, over £16 million of this amount had been paid to the Government. (*Ghana Today*, January 4.)

## Crime Reduced

Less crime was committed in Ghana in 1959 as compared with the previous two years. According to statistics released by the police, 30,309 persons were last year convicted for various criminal offences. In 1958 and 1957, 32,884 and 32,171 people were convicted respectively.

All the sixty people convicted for murder last year were men. In 1958, the numbers were forty-six men and one woman. In 1957, the death sentence was passed on fifty-one men and two women.

Nine men were convicted last year for attempted murder, nineteen for

<sup>1</sup>DIGEST VII, 3.

manslaughter, 1,040 men and fifty-six women for criminal harm, 6,204 men and 539 women for assault, seventeen men and one woman for abduction and child stealing, and 1,420 men and 113 women for other offences against the person.

In 1958, 9,733 men and 872 women were convicted for similar offences. In 1957 the numbers were 8,644 men and 618 women.

The police statistics show that of the 201 people convicted for drunkenness in 1959, seven were women. In 1958 and 1957, the numbers were 245 men and eight women, and 353 men and nine women respectively.

It is not yet known how many people have been convicted for criminal offences in 1960, but it is hoped the number will be less than that of the previous years. (*Ghana Daily Graphic*, December 10.)

## Preventive Detentions Continue

Dr. J. B. Danquah, who stood as a presidential candidate in opposition to Dr. Nkrumah last April, has failed to obtain the release of forty-three detainees held under the Preventive Detention Act.

Dr. Danquah's application sought a Court order to direct the Minister of the Interior and the Director of Prisons to show cause why the thirteen men should not be released or bailed pending the hearing of the cause of their detention. Dr. Danquah stated further that the wording of a section of the Preventive Detention Act did not amount to the "suspension of Habeas Corpus Act".

Three judges of the Appeal Court dismissed the appeal. The judges ruled they had no power to restore the appeal dismissed last April to the hearing list. (*The Times*, December 24.)

A detained former member of the National Assembly, Idana Asigri, with three other detainees, petitioned President Nkrumah for their "immediate release". Their petition, submitted by Dr. J. B. Danquah, pleaded that they should be released or be given an opportunity for an open trial in a court or at a commission of inquiry.

On December 23, a spokesman for the Ministry of the Interior announced: "Preventive Detention Orders have been made against 118 persons. The Government is determined to eradicate all acts of violence and for this reason the Government is prepared to take appropriate measures against any person or persons whose acts are calculated to encourage violence." (*Ghana Daily Graphic*, December 24.)

In a letter published in a Lagos newspaper and said to have been smuggled from a Ghana detention camp, a Ghanaian detainee appealed to the conference of International Jurists meeting in Lagos. In a violent attack on Dr. Nkrumah the letter said that the Ghana President was loudest in criticism of President Kasavubu over the arrest and detention of Lumumba but this was plainly dishonest—detentions in Ghana were no better than those in the Congo. The letter appealed to the conference to decide against detention without trial.

Meanwhile, the Ghana Minister of Information, Mr. Kwabuo Boetang, who was attending the conference, has found himself in some difficulty, particularly with Nigerian delegates. A leading Nigerian lawyer, Dr. Udo Udoma, told Mr. Boetang in an aside:

"Man, we all like Ghana and we were proud when you became independent. But what you are doing now, you are disgracing the African. If you are to save the situation you must bring those you have detained to court and try them, and if there are any difficulties in your legislation which makes their trial impossible because they cannot be charged then set them free. You have no case against them."

Later, however, at an African conference committee meeting Mr. Boetang defended Ghana's Preventive Detention Act. "Our constitution in Ghana is one decided by the people. So long as the State does nothing to infringe that Constitution so the State has done nothing wrong. Under our Constitution we are quite entitled to pass the Preventive Detention Act. We did so, we are experienced, and we fear any state of emergency. We cannot wait till we have another Congo."

In a Press release the Conference of Jurists said that the trend of discussions so far had stressed that "any power of the executive to make rules and regulations having a general legislative effect has to be exercised only on the basis of a positive mandate by the legislature subject to its approval". (*Guardian*, January 7.)

# Guinea

## One Party Democracy

HELLA PICK writing in the *Guardian* (December 28) said: "Since 1958, Guinea's leaders have been striving to 'consolidate their independence by reorganization of political, social, and economic structures'. Now the Party—the *Parti Democratique de Guinée*—is the supreme organ of the country. Its organization aims at mass participation in government at all levels; and there is considerable evidence of genuine democracy and free speech within the Party—though it has some disquieting features like vigilance committees, set up since the complot in which, it is alleged, 'counter-revolutionaries', and 'weak' characters, tempted by money, had been involved. Vital policy decisions are taken by the Bureau Politique, on which some but not all Ministers sit; Parliament and the Cabinet play a secondary role.

"In the words of the Guinean leaders, social reconstruction involves mass participation in everyday government as well as the recovery of 'human dignity abused by the colonial Powers'. *L'investissement humain*—voluntary labour used to build roads, dispensaries, and schools—forms an integral part of this policy.

"Primary education for all is still a distant goal, in a country desperately short of teachers, and which operates on a small current budget. There are, however, schemes for new secondary schools—one is now being completed with Russian funds, and while I was in Conakry a 'Peoples' College' was being given a ceremonial opening.

"Economic reform and development schemes are based on the assumption that 'during sixty years of colonial domination', the country was exploited in the interests of the colonial Powers. State control of the vital sectors of the economy is considered essential. But there were also purely practical considerations, largely brought about by French shortsightedness, which decided Guinea to establish its own currency, and leave the franc zone. This new money, which is not negotiable outside Guinea, and whose backing is uncertain, led to such problems that State control of imports and exports might have become necessary even if party doctrine itself had not also laid down that a State importing, exporting and distributing organization would arrive at more judicious prices than private enterprise.

"Private commercial enterprise has not been completely eliminated, although it operates with exasperating difficulty. The State Comptoir Guinéen has made many admitted mistakes, and for a time all imports stopped. Certainly even today the country is short of many goods. But these shortages touch only a tiny proportion of the country.

"The larger part of Guinea's three-year 39 milliard franc development plan is to be financed out of loans and grants provided by the Soviet Union, China, and other Communist countries. But that is not, the Guinea leaders maintain, because of any political commitment to the East, but because Communist countries were the first to offer help on conditions which seemed acceptable—'commensurate with Guinea's national dignity'. There is a definite feeling of resentment over the West's slowness and meagreness in offering aid—and the number of paper returns which Western aid involves.

"Guinea's leaders will strongly affirm that they have remained and will remain clear of East-West entanglements, and that their external policy is based only on the twin objectives of Africa's independence and African unity. If their voting pattern in the United Nations agrees with Russia's, that, they say, is purely coincidental."

A. M. Rosenthal, writing in the *New York Times* (October 27), said: "In Guinea the Party is both triumphant and supreme. All instructions go out from its seventeen-member politburo—to Ministers, to 'regional commanders' who rule in the back country, to unions, to schools, to homes.

"Nothing is too important for the Party, nothing is too small to escape its house-by-house attention. . . . In just two years and with rigid efficiency the leaders of the Republic of Guinea have reached their primary goal: the creation of a disciplined state rule by a single party that touches and directs the life of every citizen every day. The Party that rules Guinea is Marxist



in its orientation, but this may turn out to be just a detail as history is made in West Africa.

"Guinea's march to a one-party dictatorship is in form and philosophy part of a much larger story. This is the conviction of so many African leaders that a combination of tribal custom and the great surge to catch up with time make political authoritarianism a driving necessity and political democracy a danger. This conviction is not the private property of Communists. In a variety of countries in Africa—Ghana, Guinea, Mali, Senegal, the Congo—this reporter found two political themes everywhere.

"The first was that Western colonialism, however sweetened or softened, would be driven from the continent. The second, closely connected, was that political centralization was the answer for the new Africa.

"African leaders who believe in political democracy are treated as fossils by men who see themselves guiding Africa—men like President Touré, President Nkrumah, Premier Modibo Keita of Mali and Patrice Lumumba.

"These are men who have found growing power and magnetism in the one leader, one party idea. The men around them put the argument this way: 'Africans have lived for centuries under the leadership tradition; the chief rules. They understand community life. Our life has been around the village community and our national life must be an extension of our history and custom, not a destroying of it.

"We have had no time to educate our people in political subtleties and the leader who tries to is lost. Political diversification would be at best a waste of energy and at worst an opportunity for our enemies to divide us again. We have a great deal to do. We must do it fast. This is the best way. We cannot afford political luxuries."

## Mali Republic

### Union with Ghana and Guinea

A COMMUNIQUE issued after the meeting in Conakry between Dr. Nkrumah, M. Sekou Touré and M. Modibo Keita on December 24 said that having reviewed all important African and international problems the three leaders had decided: (1) To establish a union of our three States; (2) To promote a common economic and monetary policy. Two special committees had been set up to examine methods for achieving objectives, and each year the three Heads of State will meet quarterly in Accra, Bamako and Conakry.

The communique said: "Concerning the situation in the Congo, we unanimously regretted the inability of the United Nations to enforce the resolutions of the Security Council in regard to the maintenance of the political independence of the Congo, its territorial integrity and the normal functioning of its democratic institutions. The Head of State of the Republic of Mali took note of the recent statement made by Ghana and Guinea on the Congo situation and has associated himself with it. The Head of State of the Republic of Ghana has taken note of the decision of the Governments of Guinea and Mali to withdraw their troops from the Congo and has decided to issue a statement concerning the Ghana troops now serving in the Congo.

The three Heads of State deplored the attitude taken by certain African Heads of State whose recent stand is likely to jeopardize the unity of Africa and strengthen neo-colonialism. They condemn all forms of African regroupment based on languages of the colonial powers. They therefore appeal to these Heads of State to follow a higher and more healthy conception of African unity. (*Ghana Today*, January 4.)

*The Times* (December 29) said: "There is an interesting comparison to be made between the Ghana-Guinea-Mali association and the conference of twelve French-speaking African States which met in Brazzaville, capital of the (former French) Congo Republic, shortly before Christmas. In the case of both the conference States and Ghana and her allies what is implicit is a courtship rather than a marriage, and it would therefore be unwise to consider the two groupings as African blocks. Between the two, however, there is apparent a fundamental difference in approach to the problems of Africa and the world.

"Broadly speaking, Ghana, Guinea and Mali take their inspiration from the left, whereas the States represented at Brazzaville are markedly pro-Western and anti-Communist even though they include many degrees of socialism in their ranks."

*The Guardian* (December 28) commented: "There can be little doubt that the timing of the union declaration has been prompted by the formation of the Brazzaville block, which is led by Senegal and the Ivory Coast. The Union's approach to such questions as Algeria, the Congo, French atom bomb explosions in the Sahara, and East-West relations differs profoundly from the Brazzaville countries' approach. . . . Two rival blocks are being formed in independent Africa: the consequences may be far reaching."

*Le Monde* (December 27) commented: "One has the impression that learning from their mistakes, the three leaders have limited their aims to the realm of the possible, content to appear cautious to the militants of Pan-Africanism. It is more a matter of economic and diplomatic co-ordination and harmony than of union.

"In fact for some time the three leaders have had reason to be careful regarding one another. The Ghana-Guinea Union remains at an early stage . . . the neutral attitude of Sekou Touré in the dispute between Senegal and Soudan . . . the drastic change by Ghana in its attitude towards the Congo question, are all matters which divide these African leaders, while the fact that Ghana remains in the Commonwealth and has a British officer to lead its army isolates Dr. Nkrumah from his colleagues. They have, however, two common targets: 'imperialism and neo-colonialism' and the community—but not the Commonwealth. . . .

"Indeed the dangers of division in Africa between revolutionaries and reformers remains great and one can no longer doubt that the cold war has reached the Black continent. But behind the scenes of the large-scale conferences and the sensational statements is an invisible African family feeling, where goodwill, kinship, and shared ideals and recollections exist and contribute towards a far deeper unity than is found amongst the noisiest supporters of Pan-Africanism."

## Mauritania

### Admission to United Nations Refused

A FRENCH-TUNISIAN proposal that Mauritania be recommended for membership in the United Nations failed to be adopted in the Security Council because of the negative vote cast against it by the Soviet Union. Eight members of the Council voted in favour of admission; Poland and the U.S.S.R. voted against; and Ceylon abstained.

Mongi Slim (Tunisia) said Mauritania's independence had been contested by "our Moroccan friends". It was painful for Tunisia to differ from Morocco on this question, he said, but this was less important than the fact that another African country had attained freedom.

Morocco's Minister of Public Services, M'hammed Boucetta, presented his Government's case. Reiterating the arguments put forward earlier in the General Assembly's Political Committee, he claimed that Chinguett or Mauritania had always been an integral part of Moroccan territory.

Armand Berard (France) said that Moroccan efforts to unite with Mauritania were a "dream" that was not "based on reality". The fact remained that 306,000 Mauritania had voted for independence and only 19,000 against it.

Valerian A. Zorin (U.S.S.R.) said that in considering the Mauritanian question the fact could not be ignored that many African States which were well acquainted with the situation felt that Mauritania was part of the territory of Morocco and that they considered the granting of independence as a French "political manoeuvre". (*United Nations News*, December 12.)

*The Guardian* (December 5) said that the Soviet veto followed the West's refusal to consider first the admission of Communist Outer Mongolia, whose candidacy has been promoted by the Russians without success for the past fifteen years. The Council decided by five votes to four with two abstentions, not to consider the Mongolian request.

# Nigeria

## Sir James Robertson's Farewell

*West Africa* (November 19) commented: "In his last Press conference before leaving Nigeria Sir James Robertson (retiring Governor-General) confessed that he sometimes felt that he had 'accomplished very little that one can really define': his only claim to success was that since he had come to Nigeria in 1955 'things went pretty smoothly'."

"Sir James can indeed make this claim, but it is a very much bigger one than he suggested. For of how many countries, particularly those approaching independence, can it be made? Nobody doubts that Sir James himself contributed greatly to this smoothness, if only, as he has himself put it, by promoting co-operation and tolerance."

"The Prime Minister, in a farewell speech, put it very much higher: he spoke of Sir James's success in 'bringing us together' and in 'guiding aright' the Council of Ministers, and we are sure that Alhaji Sir Abubakar's estimate is a juster one than Sir James's own. We are sure, too, that the presence of this calm and reassuring figure in Government House and his constant touring throughout the country have contributed greatly to a political atmosphere which, even if it can quickly become bitter and scarcely deserves some of the admiration bestowed on it abroad, is very much better than that of most countries at Nigeria's stage of political development and very much better than seemed likely to develop in Nigeria itself only a few years ago. . . ."

"With great good sense Nigerians realized that Sir James's only task and only intention was to help them to independence. . . . He has a great place in Nigeria's history."

"Sir James himself has emphasized—leaving aside his personal wishes—how wise it is that he should leave now, but with Dr. Azikiwe in Government House (now State House to make it plain that it is not the seat of government) who could doubt that Nigeria has had a political revolution? Zik's appointment also signifies a change of another sort. A few years ago who would have prophesied that a government dominated by the Northern Peoples' Congress would have appointed an Ibo as Governor-General? The smoothness of which Sir James spoke could not be better illustrated."

## Dr. Azikiwe's Inaugural Address

Dr. Azikiwe addressed a huge crowd on Lagos racecourse on November 16 when he had taken the oath of Allegiance to the Queen and the oath pledging him to serve Nigeria and became Governor-General and Commander-in-Chief of Nigeria. *West Africa* (November 19) described it as "perhaps the last political speech he will give for years".

"The speech began quietly with good wishes and with a long exposé of the growth of the Commonwealth into a multi-racial body of value to Nigeria and an explanation of Zik's own present position, not neglecting to emphasize its 'passive' nature."

"But then the speech took a new turn. Nigeria, declared Zik, had a duty to 'revive the stature of man in Africa and restore the dignity of man in the world'. He then delivered an attack on racist theories and practices that could become historic. Although he was careful not to use many names he was clearly speaking of South and Central Africa and, in one passage, of the detention of Kenyatta. He reproached France, Spain and Portugal for refusing to sign the European Convention on human rights and in a guarded passage declared that Nigeria could have nothing to do with N.A.T.O.—though he didn't use the name. Nigerian policy, he declared, was one of non-alignment."

"There was a great deal of this and the crowd loved it. Particularly did they love the suggestion that in time the independent African States might 'plan to rescue their kith and kin from this social degradation'. There was great applause, too, for Zik's warning to 'our friends in Europe and America' that if they tried to scare Nigerians away from Communism they would only make it more attractive."

"For the last part of the speech Zik returned to domestic affairs. He thanked for their good intentions those who appeared concerned that he might become a 'prisoner in a gilded cage', but assured them that it was

in the interest of Nigerian unity that he had accepted his new office. He felt that with Nigeria's independence 'my major life's work is done'. But he urged Nigeria's leaders by name—turning individually to those who were on the dais with him—to 'join Alhaji Abubakar and myself in this historic mission of reviving the stature of man in Africa', an appeal he repeated later. And he ended with a poem of the famous Negro American Langston Hughes, who was in the audience—the poem which begins 'We have tomorrow bright before us'."

It was subsequently announced that Dr. Azikiwe had been appointed a Privy Councillor.

## Protests to France

Senator E. A. Esin, Minister of State assisting the Prime Minister in Foreign Affairs, informed the French Ambassador, M. Raymond Offroy, of the Prime Minister's dismay on hearing that the French Government had once again exploded an atomic device in the Sahara, and requested him to place at the disposal of the Nigerian Government all the scientific information there is with regard to the new explosion. The Ambassador said that he would transmit the information to the Prime Minister when it was available.

The Premier of Western Nigeria, Chief S. K. Akintola, commenting on the test said: "It shows lack of respect not only for the Governments in the continent of Africa, but also for humanity. France has not for several decades been able to establish a stable Government in her metropolitan area, nor has she been able to create law and order in any part of her overseas territories, yet she considers herself fit to be regarded as a rival and co-equal with Russia, Britain and the United States in their bid for world supremacy."

The Premier of Eastern Nigeria, Dr. M. I. Okpara, said that the explosion of nuclear devices in the Sahara during the harmattan "is a deliberate hostile act by France against the peoples of West Africa in general, and Nigeria in particular". The Premier added: "We hope that the Governments of the Federation will show our anger towards the French Government for their hostile act by taking appropriate and concerted action." (*News from Nigeria*, December 31.)

The French Ambassador claimed at a Press conference that Britain and the United States share France's view that Africa must move with the times and realize that even though atomic energy may be a great danger it is also a great asset for the purpose of developing the huge continent. Under pressure the French Ambassador admitted that France wanted atomic energy for military defence purposes but he said that very particular attention was being paid to the peaceful use of it.

On January 5, the Government ordered the French Ambassador and his staff to leave Nigeria within forty-eight hours. Mr. T. O. S. Benson, the Nigerian Minister of Information, announced that French aircraft and ships are not to be permitted to use Nigerian airfields and ports. The Minister said the Government reserved the right to take sterner measures against France "should she persist in her nefarious acts". Newspapers have also called for a trade break with France. (*The Times*, January 6.)

## Defence Policy

The Nigerian Parliament ratified the defence pact, between Britain and the Federation. After strong opposition from the Action Group, the Government was accused of being too pro-British and of signing away the right of Nigeria to opt out of any war in which she might otherwise be uninterested. (*Guardian*, November 21.)

On November 28, hundreds of Nigerian students, forced their way into the Federal Parliament to protest against the pact. Members of Parliament, mostly on the Government side, ran in disorder as the students burst in after defying a police barrier. Two Ministers, Mr. T. O. S. Benson (Information) and Alhaji Inua Wada (Works and Survey), were roughly handled by demonstrators. The students carried placards with such slogans as "Down with the defence pact", "Balewa betrays Nigeria: the world shall hear it", and "Military agreement over our dead bodies". Hundreds of police wearing steel helmets and carrying shields patrolled the area round Government offices near Parliament.

A spokesman for the students' union said the defence pact, approved by the Federal Parliament recently, was an obnoxious bargain between "the lion and the mouse". He described the provision for British troops to be "tropicalized" in Nigeria as an "attempt to establish a military base".

The defence pact provides for training facilities for members of the Nigerian armed forces in British institutions and for certain facilities for Britain on Nigerian airfields. (*The Times*, November 29.)

Demonstrations also took place in Enugu in the Eastern Region when 450 students presented a protest to the Premier of the Region. (*West Africa*, December 17.)

In a broadcast on December 15, Alhaji Muhammadu Ribadu, the Federal Minister of Defence, pointed out that there is no mention of war or of preparations for going to war in the opening lines of the Agreement. "... it merely says that the two Governments recognize that it is in their common interest to preserve peace. All Commonwealth countries recognize this fact. Therefore, there is nothing strange in Nigeria, as a Commonwealth country, admitting that she has a common interest with Great Britain."

He went on: "Article I is concerned with the common problems of defence which face Nigeria and the United Kingdom. It says that it would be desirable for the two countries to consult together on the measures to be taken to ensure the fullest co-operation between them with a view to giving each other such assistance as may be thought to be necessary or acceptable. There is no mention of war, and no suggestion that Nigeria would be directly involved in war if the United Kingdom were to become so involved—unless that war directly affected Nigeria. And please mark that assistance is limited to what is acceptable."

"Article II states that the United Kingdom Government will make available to the Nigerian Government, if so requested, and after consultation: Officers to assist in the staffing, administration and training of the Armed Forces of the Federation; facilities for the training of members of the Nigerian Armed Forces in the United Kingdom; training for a future Nigerian Air Force; an adequate supply of modern weapons, including new types of weapons which may be developed; any warships that may be required for the Nigerian Navy; any expert advice and assistance in operational and technical matters; and professional and technical advice in the planning of Naval Base installations."

"But I would like to emphasize that the Nigerian Government is not, I repeat not, tied by this Article to obtain these things from the United Kingdom alone."

"Article III provides that military aircraft of either party may have unrestricted over-flying rights and air-staging facilities in the territory of the other. And, though this may seem to apply only to Great Britain at the present time, Nigeria will in due course have military aircraft and they may wish to use airfields in the United Kingdom or in dependent territories nearer home."

"Article IV deals with the holding of tropicalization trials of aircraft from Kano and Lagos airfields. As far as military aeroplanes are concerned, Nigeria, when she gets an Air Force, may use British aeroplanes. Our country, would, therefore, benefit from the tests which are carried out. Even if Nigeria did not use British aeroplanes, the Article provides for her to be informed of the results of any tests carried out in Nigeria."

Alhaji Ribadu continued: "The Annex to the Agreement sets out how Nigerian troops staying in Great Britain for a time, or British troops staying in Nigeria for a time at the invitation of the Nigerian Government, would be treated. There have been complaints that the provisions in this put British soldiers outside Nigerian law, but these provisions are such as apply throughout the world to soldiers who are required to stay in another country for a time."

The Minister stated: "Great Britain is not, I repeat not, to have a base in Nigeria. Nor is she to have any of her armed forces permanently stationed here. Equally, the Agreement does not permit of the lease of one square inch of Nigerian land for that purpose. I give to those of you who have not read the actual text of the Agreement a categorical undertaking that this is so, and I can assure you that anyone who says that the Agreement provides for a British base in Nigeria is trying to deceive you and to create mischief."

## Nigeria and the Congo

The chairman of the United Nations Conciliation Commission to the Congo Republic is Mr. Jaja Wachuku of Nigeria. Mr. Wachuku said: "To us in Nigeria, a stable Congo is an absolute necessity, not only for strategic reasons but also in the interest of emerging Africa." The Congo Republic was greater in area than Nigeria, therefore the influence of a stable Congo added to that of Nigeria, Ghana, and other African States, was bound to produce a decisive pressure on affairs in South, East, Central, and North Africa and to mould world opinion in general.

A contingent of the Nigeria police left for Leopoldville on December 20. The Prime Minister in a message to the Nigerian police contingent said: "This is the first occasion upon which the Nigeria police has been called upon to serve in an operational role outside the borders of Nigeria. The call has come soon after our independence and signifies the responsibilities of sovereignty and the interdependence of nations, one with the other, in times of trouble. You all know you are going to the Congo, a sister country on the continent of Africa which needs help. You are going there under the auspices of the United Nations, whose main purpose is the preservation of peace. Yours is therefore a peaceful mission and one that will commend itself everywhere to men of goodwill. You will be supporting the United Nations in the task of restoring order. It will not be your concern to interfere in any way in the domestic affairs of the country. The primary function of police, wherever they might be, is the preservation of law and order." (*News from Nigeria*, December 21.)

## Fragmentation in Trade Unions

A correspondent writing in *West Africa* (December 24) said: "Trade unionism in Nigeria today, is approaching something like anarchy. Such is the fragmentation of the movement that no accurate up-to-date record can be made of the separate unions. There are two national centres, the Nigerian T.U.C. and the T.U.C. of Nigeria, bitterly opposed—one fed by financial subsidy from the International Confederation of Free Trade Unions, the other allegedly under Communist influence, certainly inspired by Ghana, and vehemently anti-I.C.F.T.U.—which it describes as the industrial committee of the Western alliance."

"The same names, Imoudu, Cole, Adebola, Gog Nzeribe, Bassey, Egwunwoke, Borha and others, have been coming up in different combinations for at least a decade, and it is clear that personal jealousies and ambitions and differences in political ideologies have divided the movement since the first national centre of the Nigerian T.U.C. fell apart in 1950. The main bone of contention has continuously been that of affiliation with the I.C.F.T.U. The former national centre, All Nigerian Trade Union Federation, for a time spoke for the whole movement, but it was suspected of being under veiled Communist control. This was disputed vigorously by its leaders, but a number of unions left it because it was not affiliated to I.C.F.T.U."

"In 1960, despite allegations of Communist money coming into Lagos via neighbouring States, it is Pan-Africanism with its emotional appeal which is making the pace. The Pan-Africanists not only desire the development of an 'African personality' and unity of Africa, but are bitterly anti-imperialist, and desire a policy of neutrality. To this end, following the inaugural meeting of the All-African People's Conference at Accra in 1958, Ghana has sponsored the All-African Trade Union Federation, and John Tettegah, chairman of their T.U.C., is now a roving industrial ambassador in this cause with full diplomatic status. Unfortunately, at the first preparatory committee of A.A.T.U.F. in Accra, the Ghana T.U.C. humiliated the official delegation of the Adebola faction (T.U.C.N.) in favour of the Imoudu faction (N.T.U.C.). It is difficult to say which Nigerian centre has more support, for individual unions shift their allegiances or rather union office bearers do this for them."

"The fight continues. The I.C.F.T.U. are said to be stepping up help to their local affiliates, T.U.C.N., who look as though they will need it. For example, Mr. Tulatz, West German T.U.C., is helping with trade union education."

"The multiplicity of unions is also a great stumbling block to unity. In part this is due to the Regional divisions, but not always. The most likely explanation is ease of registration, since anyone organizing more



than seven workers can have a so-called trade union registered. . . .

"Perhaps the best example is that of the miners, traditionally in older societies having a clan loyalty. There are six registered unions of miners, four having between 300 and 6,000 members, but the other two are negligible. In the field of public services, chaos reigns supreme, where there may be almost fifty separate organizations.

"Another factor in increasing fragmentation is the tendency to form factory unions of employees of a single employer, or even of a local branch of a trading organization. The size of Nigeria, the relative isolation of some centres, and difficulties of communication, account for this to a large extent, but parochialism on this scale is not met in other African territories. It is quite absurd for a business house like Paterson Zochonis to have an African Workers' Union of Nigeria, claiming twenty-seven members, or Costain's Builders to have an African Workers' Union, 130 claimed, and so on. Shining like a beacon in this confused world is the Nigerian Union of Teachers, with over 50,000 members (almost a closed shop), who pay their dues and have professional standards. This unity is due to an outstanding general secretary, Mr. Esua, who has been there some twenty years and enjoys general confidence . . . as happens with the teachers. . . .

"Nigeria's Northern Region is, of course, a special problem, for compared to the South, trade union activity is subdued. Most branches are controlled by Lagos-based headquarters and obvious difficulties, of finance, distance, and organization, militate against successful functioning. Above all, trade union activity is vitiated by the formation of tribally-based unions. The North, however, like the East and West, is also affected by the rifts between the two national centres in Lagos. The regions would settle down in time, but for the clash between the two rival groups in the Federal capital. Lagos is the place where the ideological mischief begins.

"This division in T.U.C. seems to be permanent, and the Imoudu faction are now conducting a vigorous campaign, in the regions, though Mr. Borha was recognized as the official Nigerian leader at the recent I.L.O. conference.

"Mr. Joe Fio Meyer, formerly general secretary, Ghana T.U.C. where he followed Tettegah, is reported to have been appointed Labour Attaché to the High Commissioner for Ghana in Lagos. This will obviously be to the liking of Gog Nzeribe and his N.T.U.C. but will certainly not help the Borha establishment. The final solution will depend on the ordinary workers. Today Africanism all over the continent increasingly stands for positive neutralism and a wish not to be committed to either East or West power blocs by formal affiliations. But what the Nigerian worker needs, regardless of ideological ties, is efficient unions able to protect his interests."

## Sierra Leone

### Co-operation with Guinea

At the end of a visit to Freetown by President Sekou Touré of Guinea, a Press communique was issued which said that both the Sierra Leone and Guinea Governments were agreed on the absolute necessity for the independence of all the peoples of Africa and the world, on the possibility of unity and co-operation between African States, based on mutual respect for the sovereignty and territorial integrity of each State and on the reciprocity of interest between States.

The communique stated that the two countries have also agreed that upon Sierra Leone becoming a sovereign State, the bonds of friendship and of brotherhood which unite Guinea and Sierra Leone will be maintained and strengthened by the following means: The removal of all barriers against the interests of the people of the sister States; the co-ordination of all measures to exploit the common natural resources of the two countries; reciprocal assistance and co-operation in the political, economic, financial and cultural fields and internal security. They have also decided to appoint a joint commission at ministerial level to work out the details of a commercial and financial agreement which will be favourable to the development of both countries. (*Ghana Daily Graphic*, December 20.)

## PAN-AFRICAN AFFAIRS

### I.L.O. in Lagos

THE first International Labour Organization's African Conference took place in Lagos during December. Over 500 delegates from thirty-eight countries, thirty-two of them African.

Addressing the conference, Mr. A. J. Demby, Sierra Leone Minister of Mines and Labour, said Nigeria was "the future big brother of African Nations". Mr. Demby added: "What is significant is that she should assume her rightful role so shortly after her attainment of nationhood and this augurs well for the future of the great African continent."

The Lagos conference had three main tasks: to discuss the Director-General, Mr. David Morse's report and survey of economic and social conditions in Africa; to agree proposals on free collective bargaining procedures; and to assess and recommend implementation of a study group's proposals on technical and vocational training. All three subjects, of course, are regarded as of great importance by Mr. Morse—he is in particular a firm believer in community development and self-help schemes—and in his report to the conference he emphasized how he hoped the conference would avoid political issues—which are in any case outside the competence of the organization.

The formal conference was opened by Prime Minister Alhaji Sir Abubakar, but he, perhaps knowing more about such matters than David Morse, quietly noted that although he had a good deal of sympathy with the Director-General's request, many believed that labour problems are so closely related to politics that it is unrealistic to try to separate them. In Africa, for example, he said, there are many countries where I.L.O. principles were being shamefully neglected. Visiting officials, however, tended on the whole to follow the Director-General's line.

Nevertheless, politics were never far away, even though, on the senior Ghanaian delegate's resolution, Mr. J. M. Johnson, Federal Minister of Labour, was elected President. Mr. Tay, High Commissioner for Ghana in Nigeria, congratulated Nigeria on holding the conference and said it was a pity that Ghana's offer to hold the conference in Accra had reached the I.L.O. too late; but he went on to warn delegates that although his country welcomed I.L.O. to Africa "we shall not hesitate to change our attitude if it turns out to be a Trojan horse with imperialists and colonialists in its belly".

The main political coup was staged by the Nigerian Trade Union Congress—whose members had been overlooked when the Nigerian workers' delegation was chosen. With the assistance of the Ghana T.U.C. Mr. Gog Nzeribe distributed a document which was alleged to be a copy of a United Kingdom secret memorandum describing how the United Kingdom would use trade unions and the I.C.F.T.U. to oppose Communism in Africa: "Since it is difficult to accuse trade unions of serving colonial ends, with their aid it should be possible to establish harmonious relations with the new social and political institutions in Africa now being created and with the administration of industrial and agricultural interests which we hope to maintain after any political changes.

"Trade union help will be needed to check irresponsible nationalization and to maintain control in the key sectors of economy in the newly-created African States. The principal aim should be the development in Africa of a genuine trade union movement as we know in Britain and on the Continent. This must be done with our help and under our influence from the start. Such a movement would concern itself with workers' conditions and their rights to organize, always bearing in mind the limitations imposed by local circumstances."

The statement, which has been in circulation in Africa for some months now, brought a sharp reply from Mr. George Fogon, now Colonial Office Labour Adviser, formerly an adviser in Ghana and Nigeria. He said that the document completely misrepresented British policy, but as the distribution facilities of the conference have been used in order to get the documents into delegates' hands it seemed right to state publicly and clearly and without delay in the plenary session that it is a forgery.

Mr. John Tettegah, secretary to the preparatory secretariat of the All-

African Trade Unions Federation, later denied that the Federation was sponsoring the publication. (*West Africa*, December 16 and 31.)

Mr. David Morse told a Press conference that standards of labour policy applicable to African countries had been formulated by the General Conference of the I.L.O. Expert bodies had examined social policies required to meet African conditions in many different African fields. And, as a result, a large number of African countries were already endowed with labour legislation inspired by I.L.O. standards. Defining the relationship of the I.L.O. to its member States, Mr. Morse said: "The I.L.O. is the servant of its member States. It does not seek to advocate or impose any particular system or ideology in dealing with social and labour problems." Its aim was to help the countries to work out their own solutions.

On the attitude of I.L.O. to conditions in South Africa, Mr. Morse said, "One convention that we have prohibits discrimination in employment. If South Africa were a party to the convention, it would be possible to set up a Board of Inquiry to make an inquiry on the question of whether or not this convention is being observed. However, I do not think that South Africa has ratified at this stage, this convention. Therefore, the whole issue of discrimination and the whole question of human rights is one that we have to deal with through our educational processes rather than through judicial processes." Mr. Morse said about fourteen countries had ratified the Convention on Discrimination. Of the 115 Conventions put forward by I.L.O., Nigeria had ratified twenty-two. (*News from Nigeria*, December 14.)

### The Rule of Law

The International Commission of Jurists organized the first African conference on the rule of law, in Lagos from January 3 to 7. It was sponsored by the Nigerian Government and the Ford Foundation.

Welcoming the jurists to the conference Nigeria's Chief Justice, Sir Adetokumbo Ademola, spoke of Nigeria's role in the stability of Africa. He said: "Nigeria had demonstrated its strict adherence to the rule of law, and hoped the conference would provide a suitable forum for the exchange of ideas and for an affirmation of belief in the rule of law." A working paper on the rule of law was introduced by Dr. Teslim Elias, Nigeria's Attorney-General and Minister of Justice. (*The Times*, January 4.)

At its final sessions, the conference approved a resolution that the International Commission of Jurists should "investigate, examine, consider and report on the legal conditions in Africa, with particular regard to the existence of the Rule of Law and to the observation of fundamental human rights". The International Commission of Jurists has already carried out similar investigations in Tibet and South Africa. The resolution refers to "allegations that discriminatory legislations based on race or colour exists to the detriment of the fundamental human rights of a large section of the population." (*News from Nigeria*, January 7.)

The conference also adopted a declaration to be known as "The Law of Lagos" which expressed support for the principle of democratic representation in the Legislatures; recommended that human rights, especially the right to personal liberty, should be entrenched in the Constitutions of all countries; and invited African Governments to study the possibility of adopting an African Convention of Human Rights in such a manner that its said conclusions will be safeguarded by the creation of a court of competent jurisdiction and recourse thereto for all persons under the jurisdiction of the signatory States. (*News from Nigeria*, January 11.)

### Casablanca Conference

King Mohammed of Morocco put forward proposals for restoring order in the Congo and co-ordinating the policies of African States when he opened the Afro-Asian "summit" meeting in Casablanca. The conference was called primarily to discuss possible moves in the Congo crisis, but Algeria was also down for discussion.

King Mohammed put forward the following five-point plan for restoring order and the legal authority of Mr. Lumumba, the first Congo Prime Minister, who is under detention: (i) A permanent Congo Committee appointed by the United Nations General Assembly which would advise on measures to be taken in the Congo; (ii) a conciliation conference of leaders of all parties in the territory; (iii) a political truce in the Congo;

(iv) increased United Nations material and technical aid; (v) a call to African States to give a lead in helping the Congo.

King Mohammed proposed the creation of an African consultative assembly and of committees to co-ordinate African economic, cultural, and military policies. These would carry out the following ten-point charter outlining the aims of the African States: (i) Liquidation of colonial régimes and liberation of colonial territories; (ii) elimination of all forms of racial segregation in Africa; (iii) a fight against all forms of old and new colonialism; (iv) consolidation and mutual defence of new African States; (v) building of African unity; (vi) reaffirmation of Africa's neutralism; (vii) evacuation of all occupation troops from Africa; (viii) barring of all nuclear experiments from Africa; (ix) no foreign intervention in African affairs; (x) action to consolidate world peace. (*The Times*, January 5.)

The Casablanca conference was attended by President Nasser (United Arab Republic), President Nkrumah (Ghana), President Sekou Touré (Guinea), President Modibo Keita (Mali), Abdel Quadir al Allam (Libya), Mr. Alwin Perera (Ceylon), and Ferhat Abbas (Algerian provisional Government).

The formation of a joint African High Command of Chiefs of Staff was announced at the end of the meeting.

The main documents—"The African Charter of Casablanca"—said that the African States were determined to maintain an identity of views in their policies, and pledged the non-alignment of the African countries to any block. The conference decided that an African consultative assembly would be set up "as soon as conditions permit". The assembly would be composed of members of all African States, and would hold regular sessions.

President Nkrumah of Ghana said at the closing ceremony of the conference: "Let us intensify our efforts to wipe the imperialists from the face of our beautiful earth." The Casablanca Powers, he said, were determined to wage battle with all the forces at their command to build a strong union of African States. He added that he could see no security for African countries "unless we African leaders join in building the unity of Africa".

The *Guardian* (January 9) commented: "The 'Charter of Casablanca' does not represent the views of all the independent African countries, but it represents the views of the radical group without whose co-operation there can be no solution of the Congo crisis. Without the men from Morocco, Ghana, and Guinea, for example, the United Nations Command would find it harder than now to do its elementary police work; it might not even be able to call itself a United Nations Command. The Security Council should therefore examine the Casablanca proposals and see if there is any reason why they cannot be incorporated in new instructions to the command."

Colin Legum wrote: "There can be no doubt about the seriousness of the intention of the Casablanca conference countries to commit their troops in the Congo on the side of the imprisoned M. Patrice Lumumba unless the United Nations makes a minimal attempt to secure his release. But although the seven African States and Ceylon are wholehearted Lumumba supporters they did not pledge their personal support to him. They went on record as recognizing the Congo's legitimate Government which existed at the time of independence—that is the Government with M. Kasavubu as its President and M. Lumumba as Prime Minister.

"No precipitate action, however, is likely to be taken to withdraw the troops from the United Nations command, let alone putting African troops into Stanleyville—the base of operations of M. Lumumba's supporters—until the United Nations conciliation commission, now in the Congo, has done its work.

"The seven African States see Casablanca as the first step towards a consultative assembly of African States which will meet regularly to achieve three purposes—to consolidate independence where it has already been achieved; to eradicate colonialism where it still exists; and to resist neo-colonialism. It is this latter factor that today preoccupies the attention of the militant African States.

"Neo-colonialism is, by their definition, sham independence. It is represented by African Governments which rely for their power on their former colonial rulers. Thus the present Government of President

Kasavubu and Colonel Mobutu in the Congo is seen as a classic case of neo-colonialism, deriving its support from the Belgians and other Western Powers. The majority of the French African Community States are also put into this category—and, since these States wholeheartedly support President Kasavubu, they are regarded as part of a neo-colonialist conspiracy in Africa.

"It is against this background that one must measure the words of President Nkrumah at the conclusion of the conference, when he said: 'What I fear worst of all is the fact that if we don't formulate plans for unity and take steps to form a political union we would soon be fighting and warring among ourselves along with the imperialists and colonialists to cut each other's throats for the sake of their diabolical purpose in Africa.'

"But although Dr. Nkrumah remains firmly convinced of the need for, and the practicability of, African political union, the Casablanca Charter lays down a functional approach toward African unity. The five institutions recommended—a consultative assembly with four committees, political, economic, cultural and defence—will all act as advisory and consultative bodies. Their precise workings are to be determined at a conference of experts to be convened within three months.

"This functional approach towards African unity comes very close to the ideas of those African States which did not accept the invitations to come to Casablanca—Nigeria, Ethiopia, Tunisia, Sudan, Liberia, Somali and Togoland. What remains to be seen is whether they will agree to be represented at the continuation conference of experts. The fact that six of the seven African States at Casablanca are predominantly Muslim—the exception being Ghana—was reflected only in one important respect, enmity towards Israel.

"President Nasser's advocacy overcame the stubborn resistance of the Black African States not to become involved in what they have so far regarded as essentially an Arab quarrel. All the Non-Muslim African States have relations with Israel and some of them, notably Ghana, have close working relations with the Israelis. For the sake of African unity Ghana agreed to a resolution which stamped Israel as 'an instrument in the service of imperialism and neo-colonialism not only in the Middle West but also in Africa and Asia'.

"It will be significant as to whether Ghana, Guinea and the other African States which work with Israel will be ready to sacrifice this friendship as the result of the Casablanca declaration. The seeds of future conflict are to be found in another resolution which commits the Casablanca bloc to support 'any action' which Morocco might take to establish its claims over neighbouring Mauritania, which is regarded as a neo-colonialist base and, therefore, a threat to genuine African independence. In the years ahead neo-colonialism is likely to supply the fuel for militant nationalism which previously was supplied by colonialism." (*O.F.N.S.*, January 9.)

### Brazzaville Conference

The final communique of the French-speaking leaders at Brazzaville announced that the leaders are to ask France to end the war in Algeria in 1961, after open negotiations, and to fairly apply the principles of self-government with reciprocal political guarantees given to all political parties. The leaders have also agreed that there is little point in trying to patch up an "impractical and negative solution" through recourse to the United Nations. United Nations supervision of the organization of the plebiscite, they say, would be largely illusory.

On the Congo, the communique declares "a peaceful solution can only be found in a round table conference".

M. Fulbert Youlou, the President of Congo (Brazzaville), opened the conference last week. He said the meeting must be regarded as a council of the African family and that it should not limit itself to a formal exchange of views between Heads of State, but should lay down the basis for the creation of an African political community. By openly placing the emphasis on political problems and by inviting MM. Kasavubu, Kalondji and Tshombe to attend, as well as M. Kassongo, as a representative of the Lumumba faction, the President of Congo (Brazzaville) clearly showed that he would not be content to hear the Conference confine itself to economic and social questions.

By bringing the Congo leaders together, moreover, the Brazzaville leaders have assumed the role of arbitrators and it is now believed that if the discussions can be kept going (M. Tshombe has already grown cool) an important step forward might be made in resolving the many tribal conflicts which have brought chaos to the former Belgian colony.

Leaders from twelve independent States were present, including MM. Houphouët-Boigny, Ould Daddah, Senghor and Dia, but neither Guinea nor Mali was represented. (*West Africa*, December 24.)

## GENERAL

### Portuguese Africa and the United Nations

THE Fourth Committee of the United Nations has passed a resolution calling upon the Portuguese Government to supply information on its overseas territories under the terms of Article 73 (E) of the Charter.

This article provides that a member should transmit regularly to the Secretary-General statistical and other information of a technical nature relating to the economic, social, and educational conditions in non-self-governing territories for which the member is responsible.

In 1957 on two occasions resolutions failed to gain the requisite majority. The Portuguese say that Article 73 (E) is inapplicable in the case of Portugal because territories such as Angola, Goa, Mozambique, and Portuguese Guinea are "overseas provinces" and part of the constitutionally unitary Republic of Portugal.

A delegation of nationalists from the Portuguese African colonies led by Mr. Viriato Cruz, visited London during December and met M.P.s and representatives of the Press and organizations concerned with African affairs. They said that the United Nations resolution did not satisfy the main aspirations of the peoples of the Portuguese colonies. It did not yet recognize the right of self-determination and independence, nor did it create any machinery to prevent further brutalities by the Portuguese Government in these territories. It did not oblige Portugal to grant fundamental human rights to them, so that they can create their own political and social institutions that will open a way for a peaceful independence. The statement continued: "The U.N.E.S.C.O. and other agencies of the United Nations have published statistics and other facts which clearly show that 99 per cent of the population of Angola, Guinea and Mozambique have no political rights whatsoever. Political parties, youth movements, trade unions and other democratic organizations are forbidden in the colonies. Portugal rejects the idea that the interests of the inhabitants of the colonies are paramount, as required by Article 73 of the Charter. Yet the resolution of the United Nations does not condemn Portuguese colonial policy and oblige Portugal to grant immediately to the peoples of the Portuguese colonies their democratic rights to create their own political and social institutions that will lead to a peaceful independence."

The delegates said that their demands were: (1) Solemn acceptance of the right of self-determination for the peoples of the Portuguese colonies. (2) Unconditional amnesty for all political prisoners. (3) Restoration of civil liberties, namely the legal right to form political parties and establish solid guarantees for their effective exercise. (4) Withdrawal of all Portuguese armed forces and Portuguese agents of the P.I.D.E. from the Portuguese colonies.

An article by a Special Correspondent in *The Times* (January 2) said: "Portugal is one of the most underdeveloped countries in Western Europe: not much larger than Scotland and with a population of probably less than 10 million, yet with immense responsibilities for directly administering scattered overseas territories and great areas in Africa with the twentieth-century clamour of nationalism pounding at their borders. . . .

"The Portuguese Constitution has been amended and the colonies have become overseas territories—in short, integral parts of Portugal. Some Portuguese have even coined a new description of Portugal herself: the European department of Portugal.

"To foreigners it may seem like a game of make-believe; many Portuguese, however, accept this concept of greater Portugal as correct and



historically justified; after all, they say, 'we have been in Africa for 500 years, twice as long as the Americans have been masters of their own country' . . .

"The Portuguese describe their role in Africa as a civilizing mission. They call the Congo's independence a shirking of responsibility by Belgium, and they say much the same about Britain over the independence of Ghana and Nigeria. A nagging thought which many Portuguese to whom your correspondent spoke now nurse was summed up by the National Secretary for Information and Culture, Dr. Moreira Baptista, in what was clearly a rebuke aimed at Britain, the United States, and Russia. There is, he said, an international conspiracy against Portugal directed above all against her position overseas. . . .

"Recent attacks on Portugal's colonial policy in the United Nations, but above all events in the Congo, outraged and alarmed the Portuguese and they did more to quieten opposition to the régime than the earnest official campaign launched months ago appealing for national unity against a threat which was not called African nationalism but 'foreign aggression'. Even some critics—although by necessity restrained ones—of the régime now hold up Salazar's Portugal as the one country of the western block which 'understands the realities of Africa'.

"Portugal's case for complete authority over 11 million Africans is based on the claim that soon she will be the only country left to guarantee at least part of Africa will remain 'Christian and loyal to the West'; and to get into an argument on the subject can be an embarrassing and distressing experience. Even some young Portuguese who five years ago would have cheerfully debated whether Portugal was discharging her colonizing responsibilities by twentieth-century standards today will usually greet any suggestion that she is perhaps not doing so with a torrent of arguments which are certainly not twentieth century. . . .

"The Portuguese justify their confidence by the argument that because of their Moorish ancestry they have far less racial prejudice than any other empire builders. Their aim, they say, has always been to 'assimilate' the African, either by education or by intermarriage. Yet of the Native populations of Angola, Mozambique, and Portuguese Guinea, less than 1 per cent has been 'assimilated'. Another reason for this confidence in the passivity of the Portuguese African and in the ability of some 200,000 Portuguese in Angola, for instance, to ensure the loyalty of 4½ million Africans is the sternness of Portugal's administrative methods—a subject of harsh criticism abroad. Some Portuguese do realize, however, that they are sitting on a time-bomb."

*The Editor of the DIGEST does not necessarily endorse the views of correspondents*

## AFRICA BUREAU ACTIVITIES

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We record with great regret the death of the Rt. Hon. Isaac Foot, who was a founder Hon. President of the Africa Bureau.

November and December were busy months on the Central African front. Members of the Executive and Staff met Dr. Hastings Banda, Mr. Kenneth Kaunda and Mr. Joshua Nkomo and many other leading Africans from Northern and Southern Rhodesia and Nyasaland. Close contact was maintained until, shortly before Christmas, the delegations to the Federal Review Conference returned to Central Africa.

At the United Nations, the Reverend Michael Scott continued his efforts to gain support for petitions received from Chief Hosea Kutako and many other Africans from South West Africa. The number of petitioners on the South West African issue increased to seven this year; only Mr. Scott, Mr. Kerina and Mr. Kosonguizi had previously been heard by the United Nations Fourth Committee.

Meetings were addressed by the Bureau Executive and Staff in many parts of the country. The secretary spoke at a school in Ware, a Church group in Hampstead, and to United Nations Association branches in Newbury and Clacton. Mr. Keith Lye spoke in South Wales and Cambridge, and Miss Benson in London and Sevenoaks.

A new Africa Council has been formed in Doncaster and a conference of delegates from Africa Councils will take place in Rugby in March.

The Africa Bureau appeal for funds in 1961 will be launched with an appeal brochure which will be published in February. Other fund-raising activities are planned. We are most grateful for all the support received last year. Approximately £1,000 has been sent to the Rhodesian Legal Aid Fund since July. The need, of course, is continuing, and as special needs arise in Central and Southern Africa, so it becomes increasingly difficult to raise funds for the costs of the Bureau itself.

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### THE AFRICA BUREAU

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**SECRETARY:** Miss Jane Symonds.



